

Michigan Joint Task Force on Jail and Pretrial Incarceration

Meeting #3

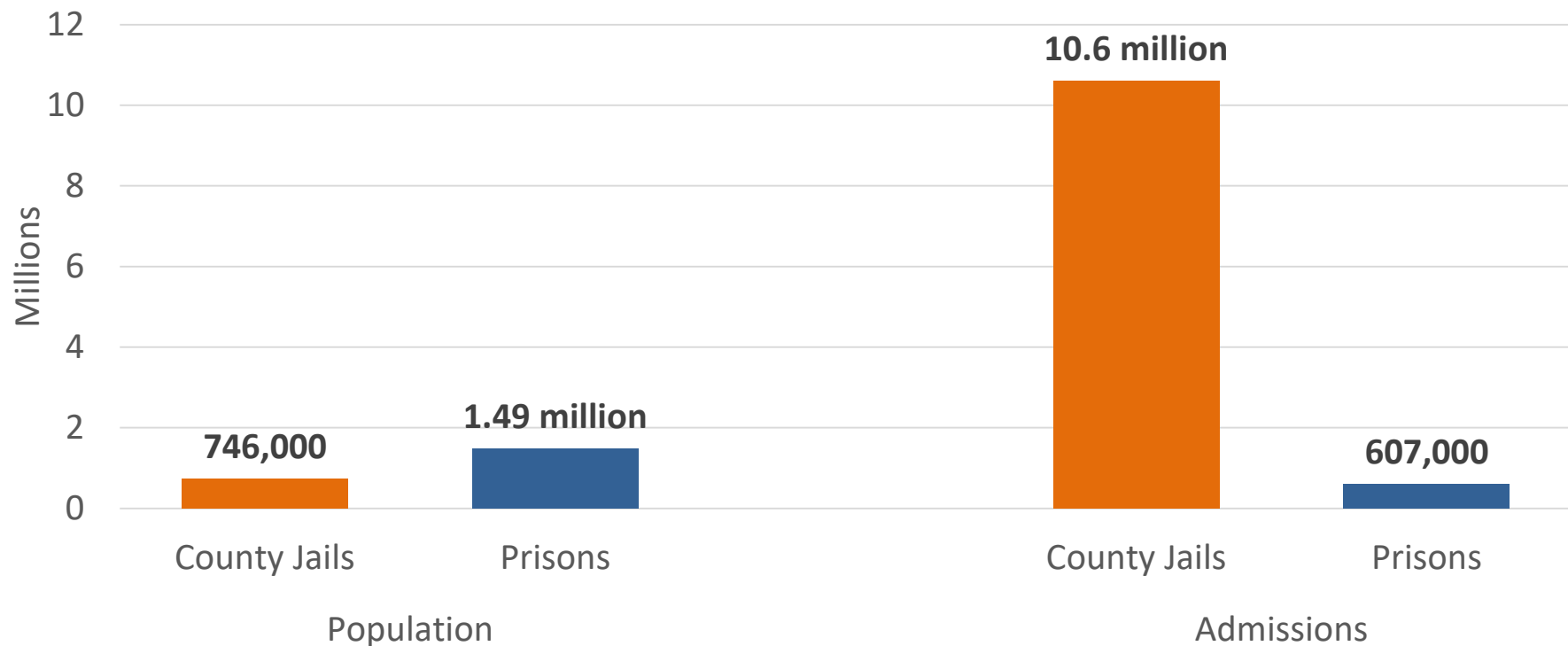
September 20, 2019

Grand Rapids, MI

General inquiries and information: JailsTaskForce@courts.mi.gov

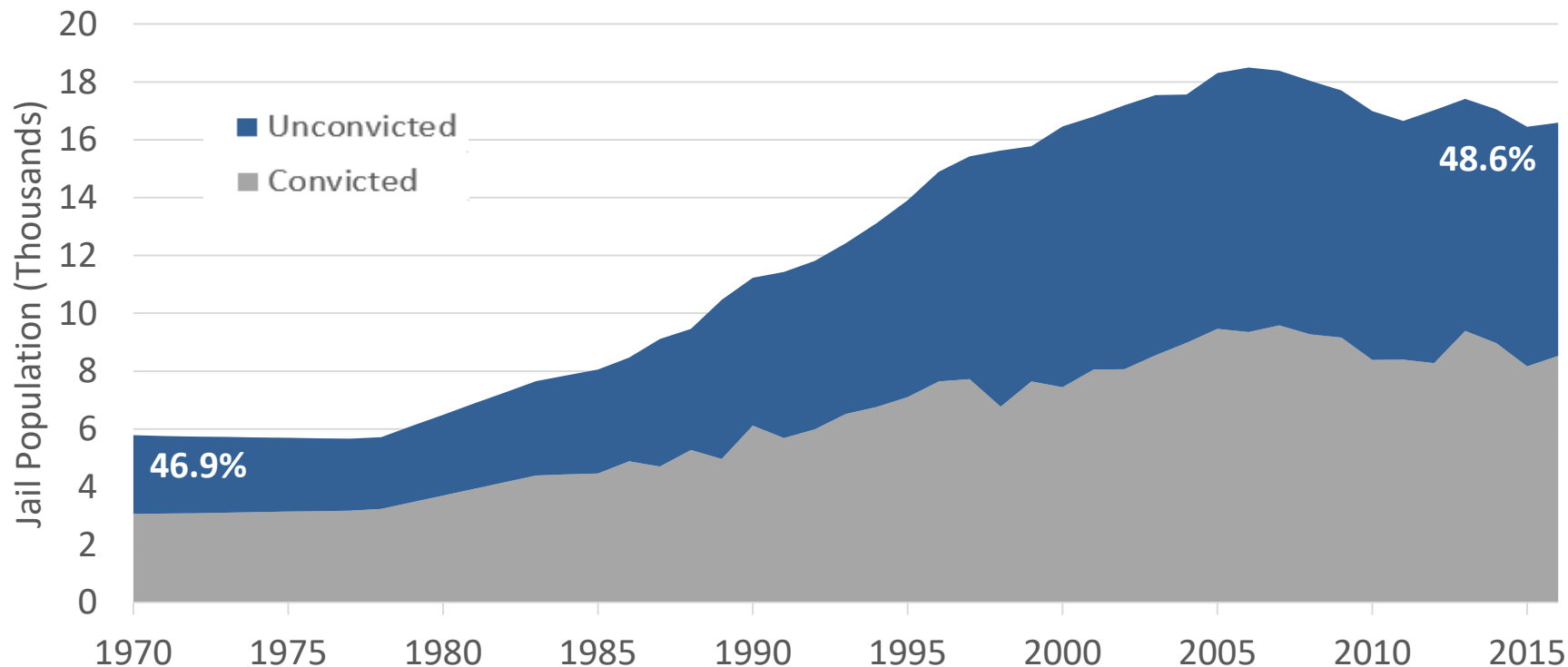
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Far more people enter county jails than state and federal prisons in the U.S. every year.

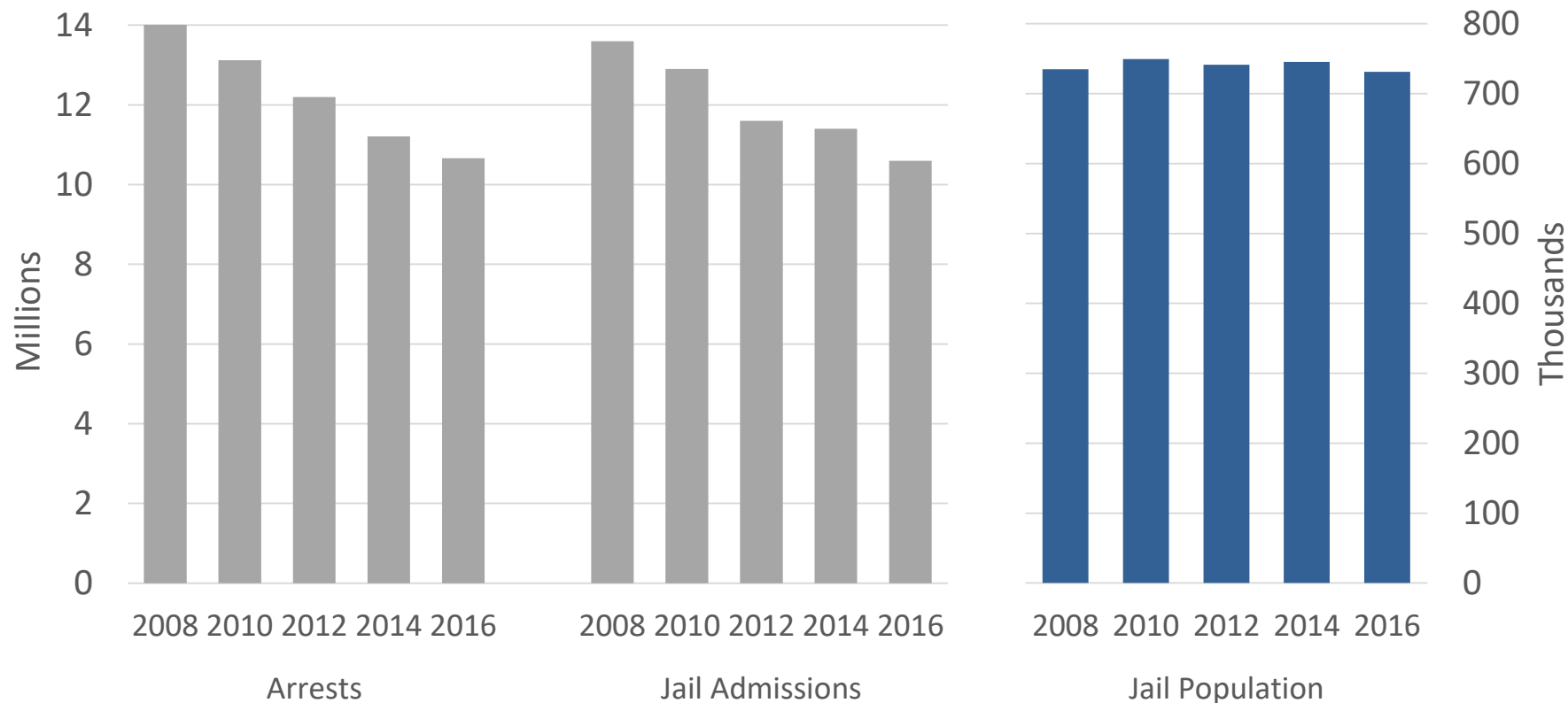


Population and Annual Admissions in County Jails vs. State and Federal Prisons in the United States, 2017. Note that jail population is average daily population while prison population is an end-of-year count. Source: Bureau of Justice Statistics, Annual Survey of Jails and National Prisoner Statistics Program.

Michigan's jail population tripled over 45 years; it was driven equally by pretrial and sentenced populations.

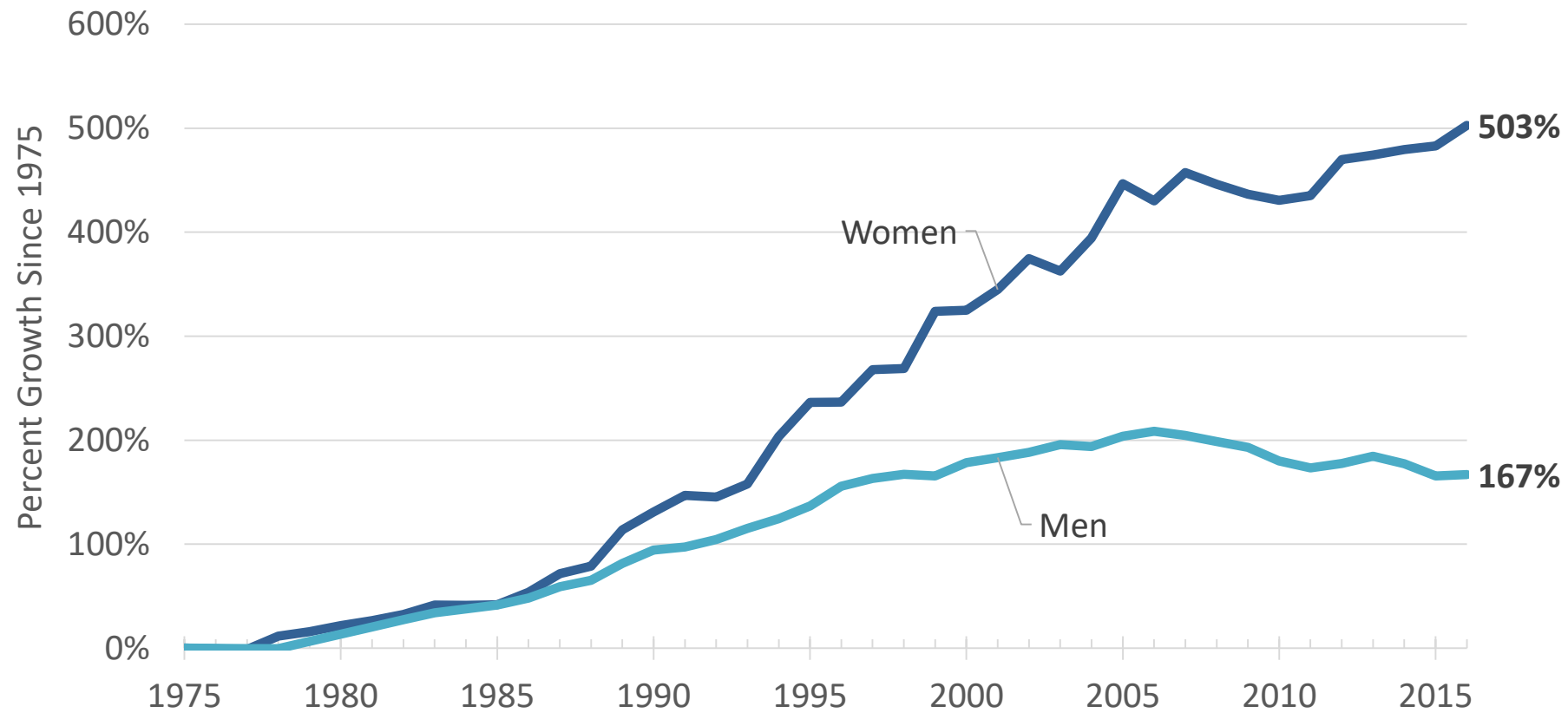


U.S. jail populations remain high despite recent drop in arrests.



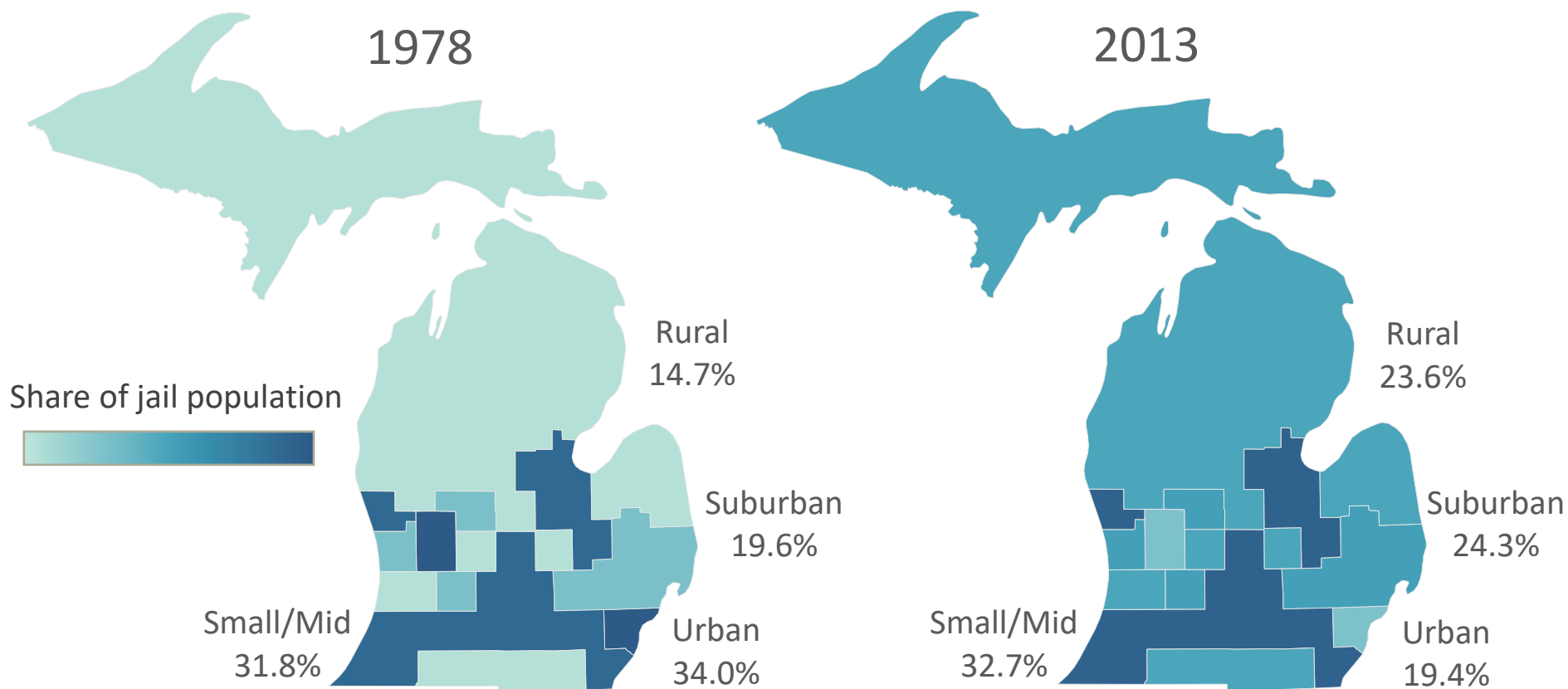
United States Arrests, Jail Admissions, and Jail Population, 2008 to 2016. Sources: Bureau of Justice Statistics, Census of Jails and Annual Survey of Jails; U.S. Census Bureau, Population Division; Federal Bureau of Investigation (FBI), Uniform Crime Reporting Program.

The number of women in Michigan jails grew at triple the rate of the men.



Percent Growth Since 1975 of Michigan Jail Population by Gender, 1975 to 2016. Source: Bureau of Justice Statistics, Census of Jails and Annual Survey of Jails.

Rural Michigan now holds a larger share of people in jail than urban counties.



Michigan Share of Jail Population by Urbanicity, 1978 and 2013. Source: Bureau of Justice Statistics, Census of Jails.

Schedule of Meetings

1. ***Introductions and National Trends: July 24, Detroit***
2. ***Research and Constitutional Landscape: August 23, Traverse City***
3. ***Data and Policy, Part I: September 20, Grand Rapids***
4. ***Data and Policy, Part II: October 18, Detroit***
 - 1st Round of Subgroups: November 1, Lansing*
 - 2nd Round of Subgroups: November 18, Lansing*
5. ***Subgroups Report Out to Full Task Force: November 19, Lansing***
 - 3rd Round of Subgroups: December 5, Lansing*
 - 4th Round of Subgroups: December 16, Lansing*
6. ***Presentation of Final Recommendations: January 9, Lansing***
7. ***Post-Recommendation Meetings: TBD***

Agenda

- Overview of Data Sources
- Findings from Arrest Data
- Findings from Court Data
- Findings from Jail Data
- Takeaways

Overview of Data Sources

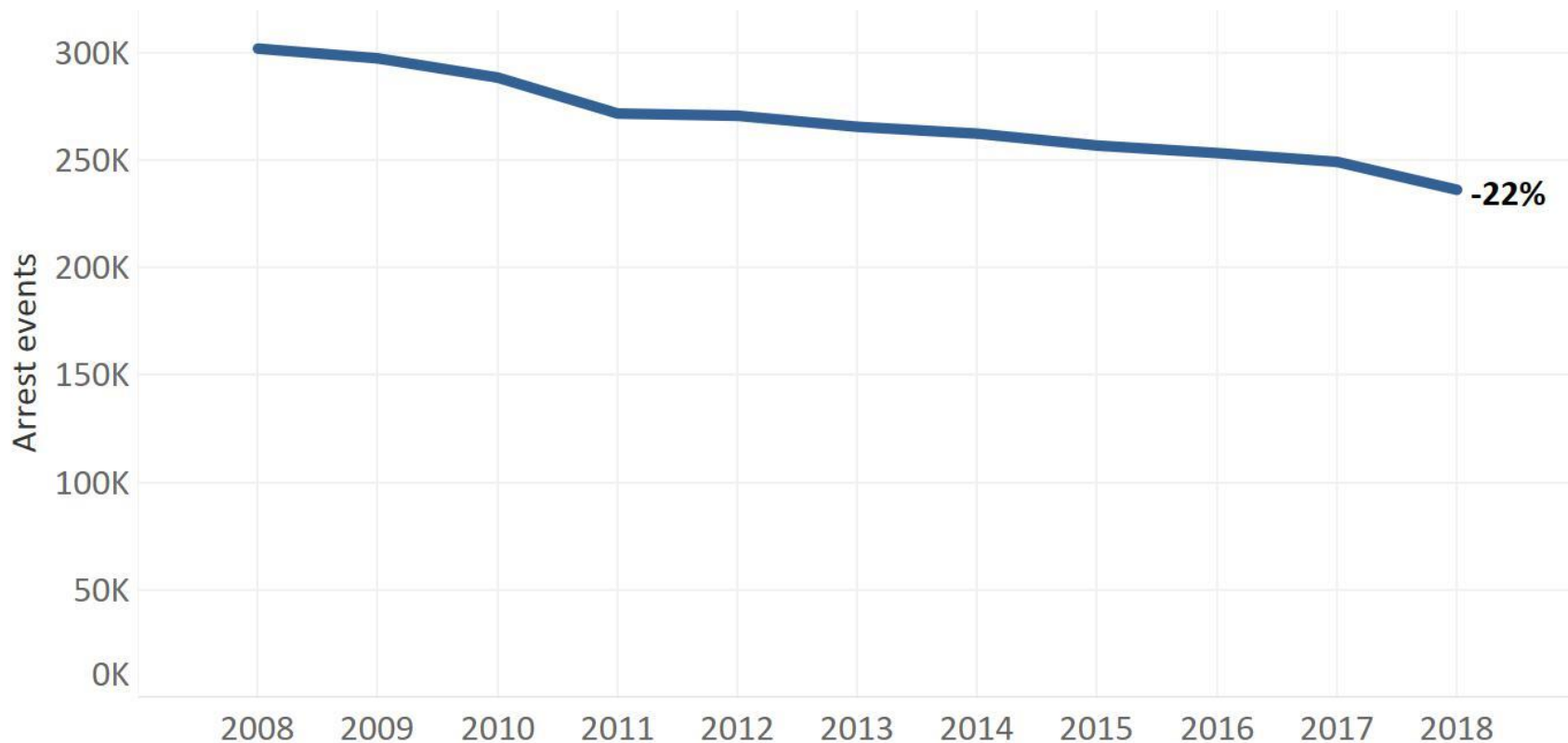
- Arrest data
 - Statewide data from 2008 to 2018 provided by the Michigan State Police
- Court data
 - Statewide data from 2008 to 2018 provided by the State Court Administrative Office
- Jail data
 - Data from 2016 to 2018 provided by a diverse sample of 20 counties

Findings from Arrest Data

Context on Michigan Arrest Data

- Arrest data is provided by the Michigan State Police.
 - Data spans the period from 2008 to 2018.
- The statewide data is compiled from the nearly 600 agencies with arresting authority across the state.
- Arrest data includes three types of arrest events: on view arrests, warrant arrests, and citations.
 - All misdemeanors and felonies in Michigan are arrestable.
 - Citations may be issued in lieu of arrest only for misdemeanors or local ordinance violations punishable by 93 days in jail or less.

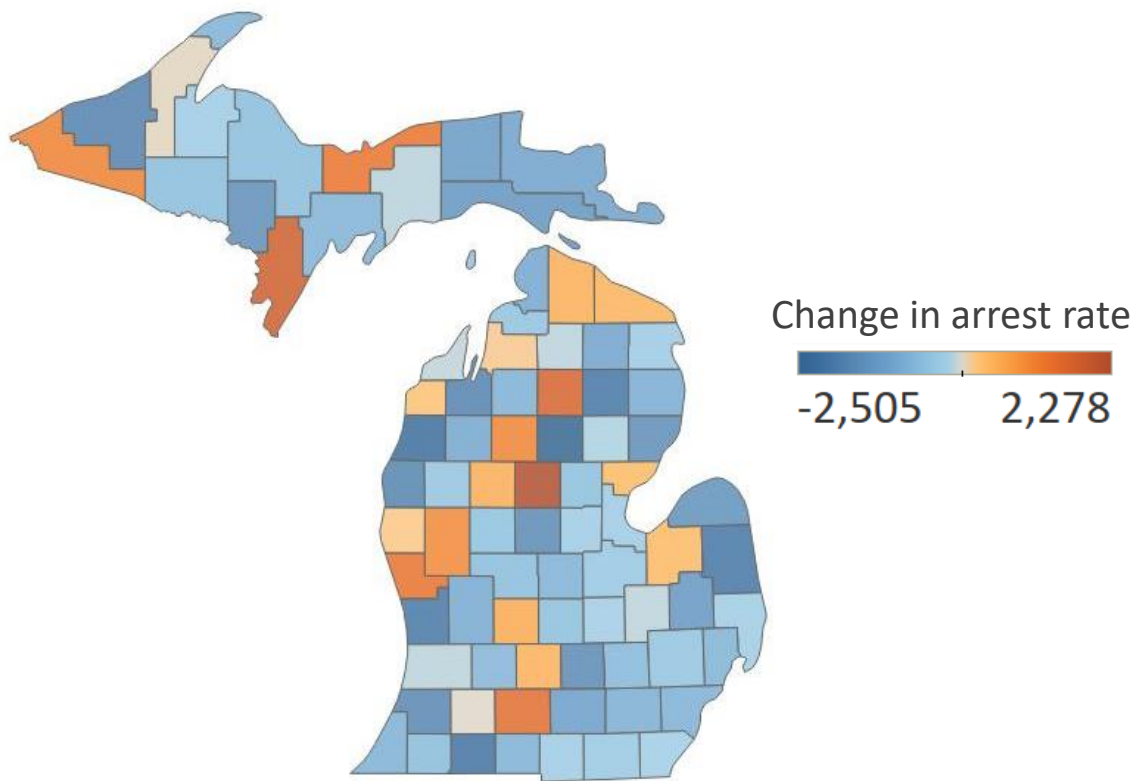
Arrest events statewide have fallen about 20 percent in the past decade.



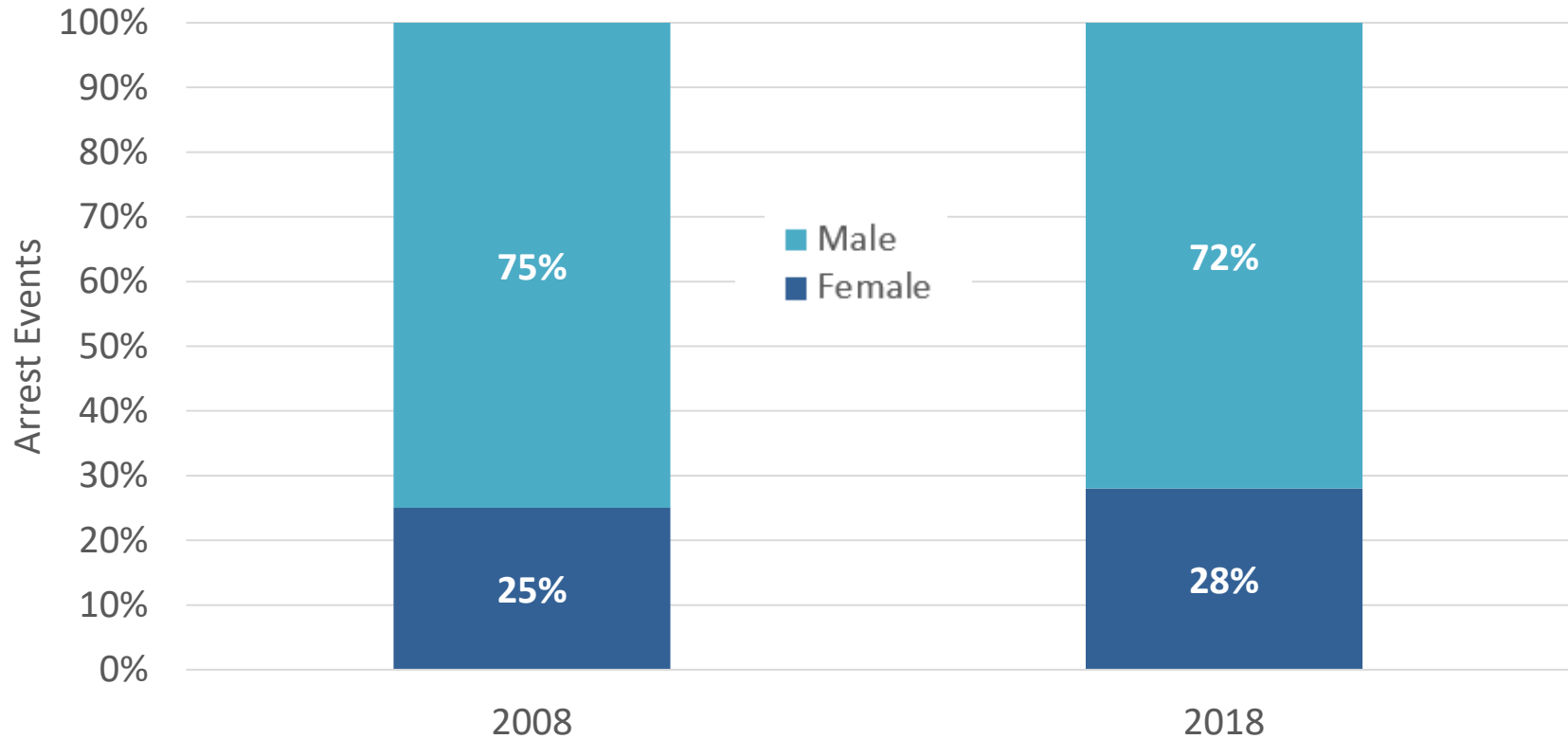
Change in total statewide arrest events, 2008-2018. Arrest events include on view arrests, warrant arrests, and citations.

Source: Statewide arrest data, 2008 to 2018, Michigan State Police.

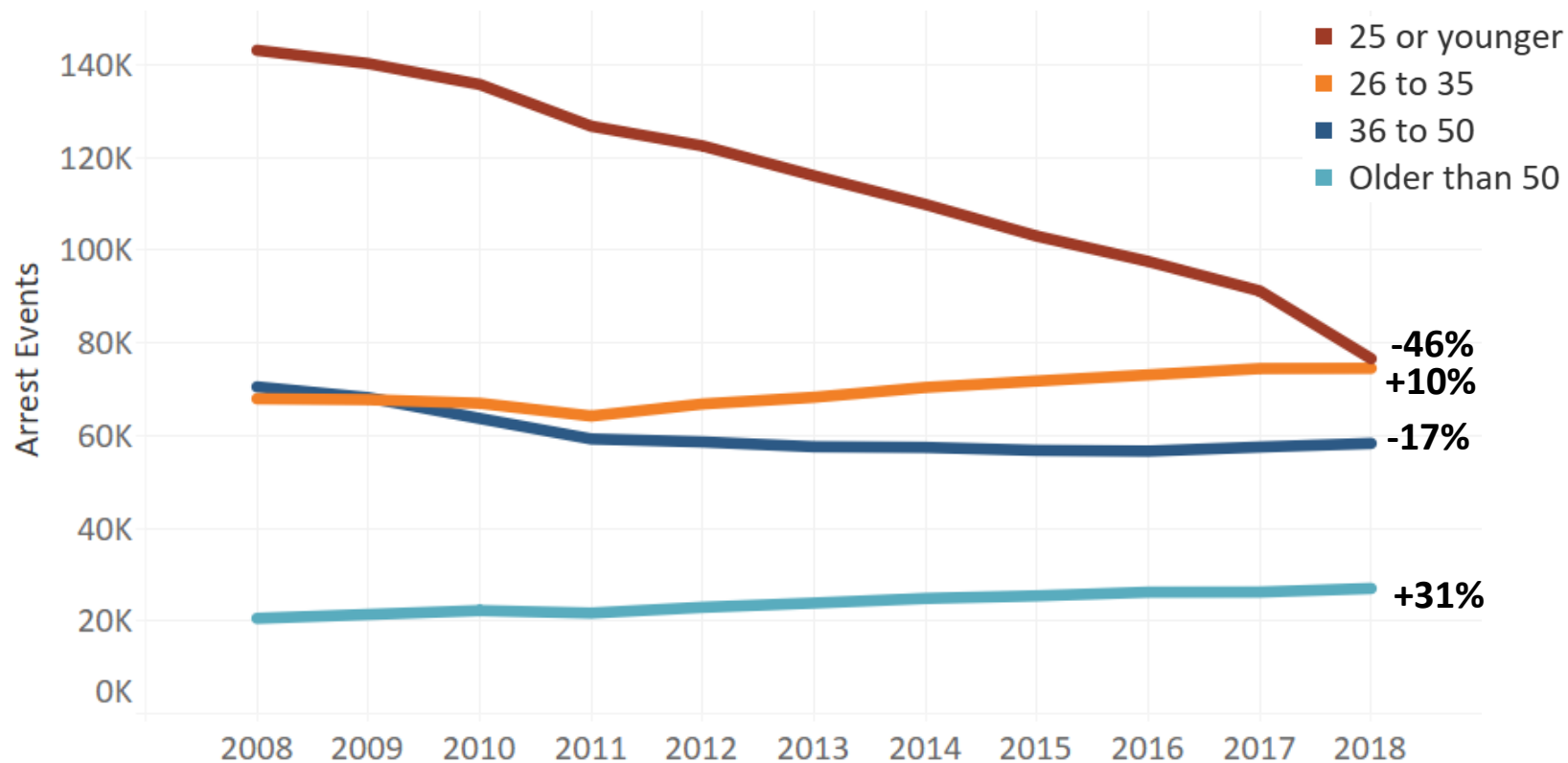
Despite falling arrests statewide, 21 counties increased their arrest rates.



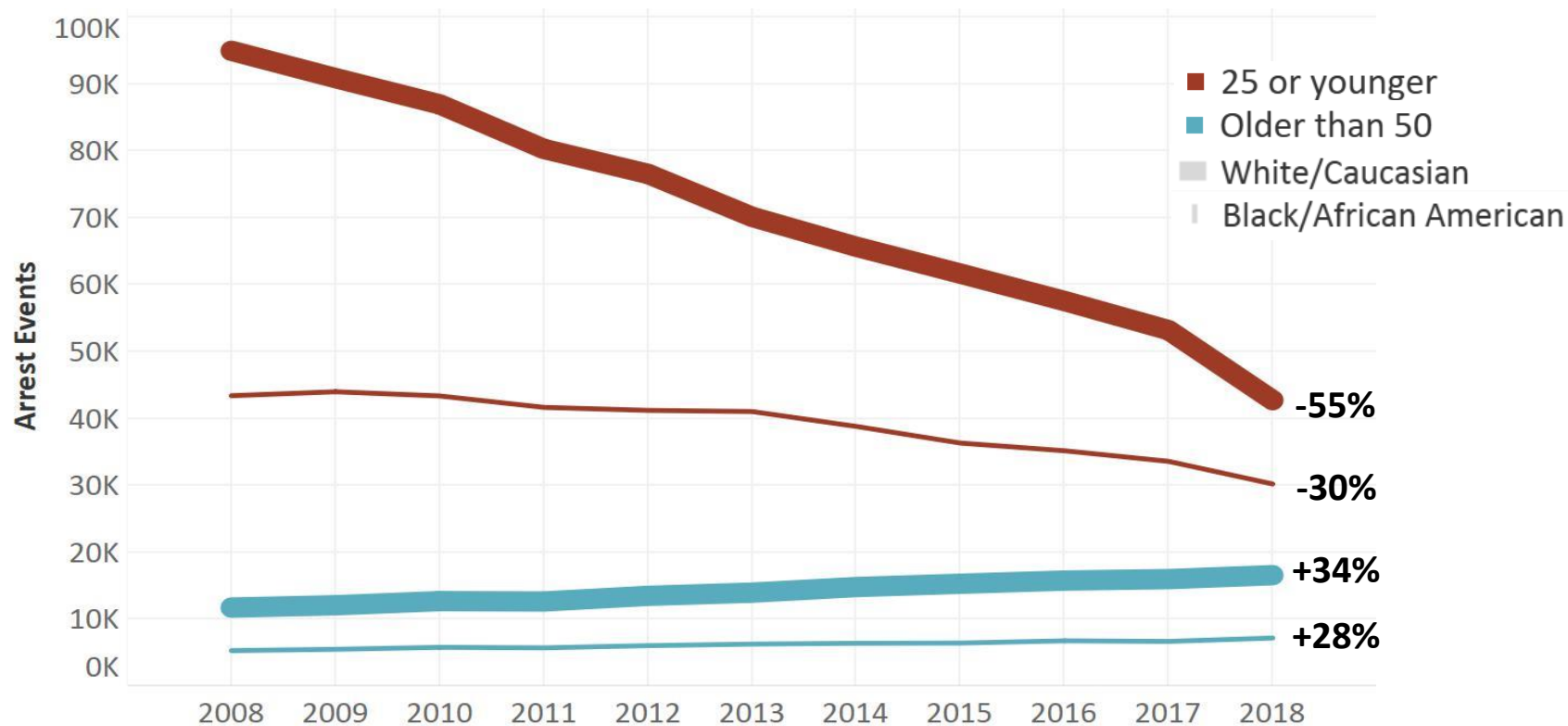
Proportionally more women experienced arrests events in 2018 than 2008.



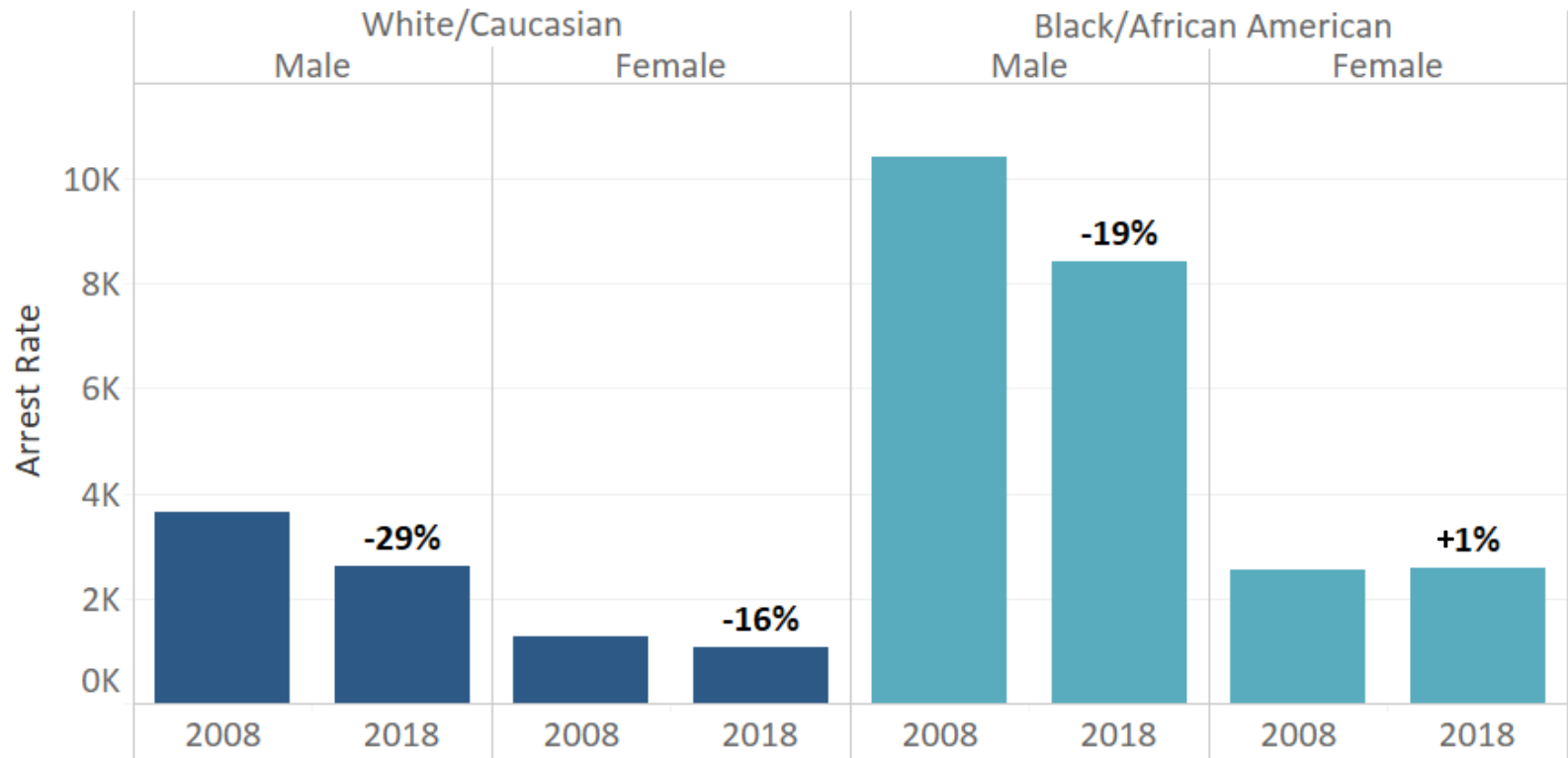
The decrease in arrest events was driven by people age 25 and younger.



Arrest trends for different age groups were similar across races.



Arrest rates decreased for all major gender/race groups except Black women.



Percent change in arrest rate (arrest events per 100,000 Michigan residents) by race and gender, 2008-2018.
Source: Statewide arrest data, 2008 to 2018, Michigan State Police.

The decrease in arrest events was driven by alcohol-related offenses.

Top 5 Offenses with <u>Fewer</u> Arrest Events, 2008-2018	Decrease
Operating Under the Influence*	-13,588
Alcohol Violations – Minors	-7,395
Liquor Violations (Other)	-5,398
Miscellaneous Arrest	-4,375
Retail Fraud Theft 3rd Degree	-3,862

Top 5 Offenses with <u>More</u> Arrest Events, 2008-2018	Increase
Methamphetamine – Possess	+1,669
Probation Violation	+1,398
Narcotic Equipment	+1,396
Heroin – Possess	+858
Contempt of Court	+714

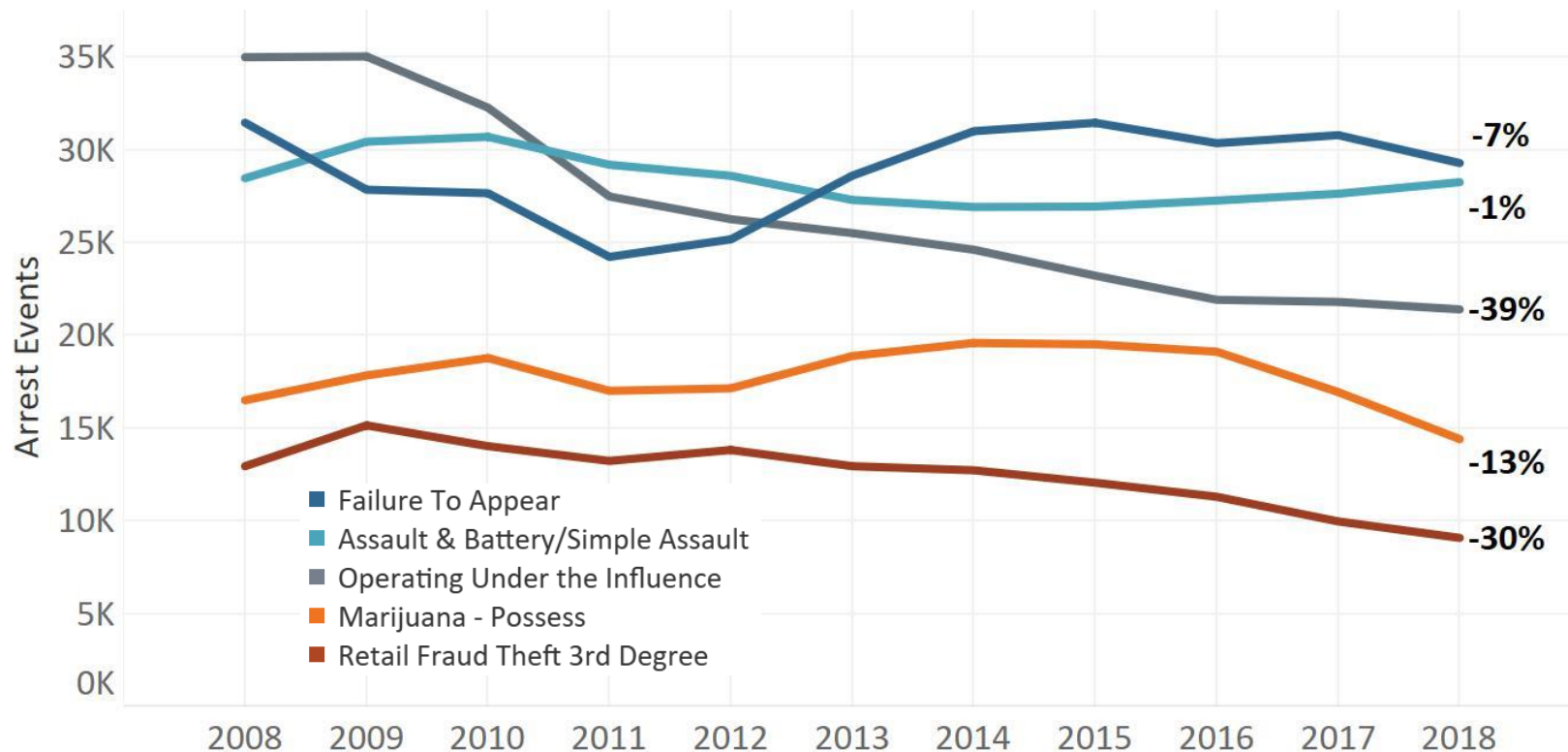
Top 5 offenses with largest decreases and increases in arrest events, 2008-2018. *Note: OUI category includes Driving with BAC > 0.08 and “Super Drunk Driving” (BAC > 0.17), the latter of which was added as an offense between 2008 and 2018. Source: Statewide arrest data, 2008 to 2018, Michigan State Police.

Arrest events were dominated by misdemeanors and court order violations.

Top 10 Offenses for which Arrest Events Occurred, 2018	Count
Failure to Appear	29,295
Assault & Battery/Simple Assault	28,264
Operating Under the Influence of Alcohol*	21,410
Marijuana – Possess	14,419
Retail Fraud Theft 3rd Degree	9,096
Probation Violation	8,472
Contempt of Court	6,803
Obstructing Justice	5,443
Disorderly Conduct	4,036
Retail Fraud Theft 2nd Degree	3,706

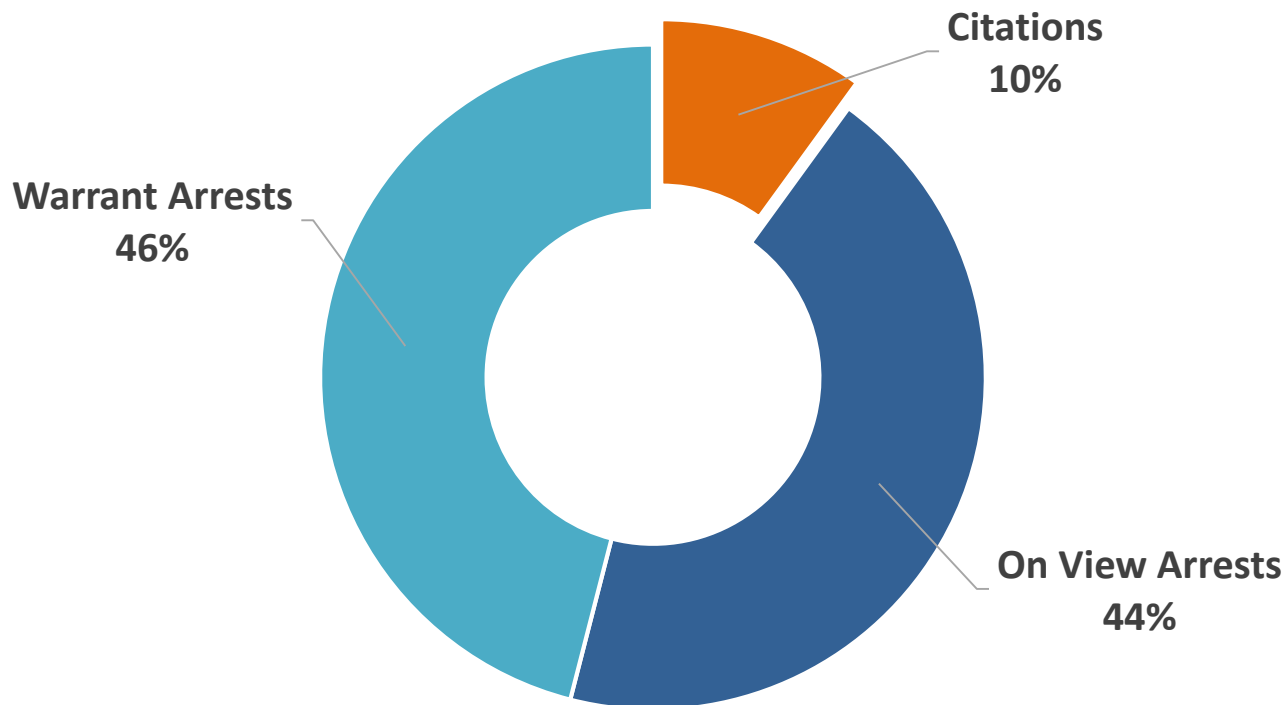
Top 10 offenses for which arrest events occurred, 2018. *Note: OUI category includes Driving with BAC > 0.08 and “Super Drunk Driving” (BAC > 0.17), the latter of which was added as an offense between 2008 and 2018. Source: Statewide arrest data, 2008 to 2018, Michigan State Police.

The most common arrest events all declined over the past decade.

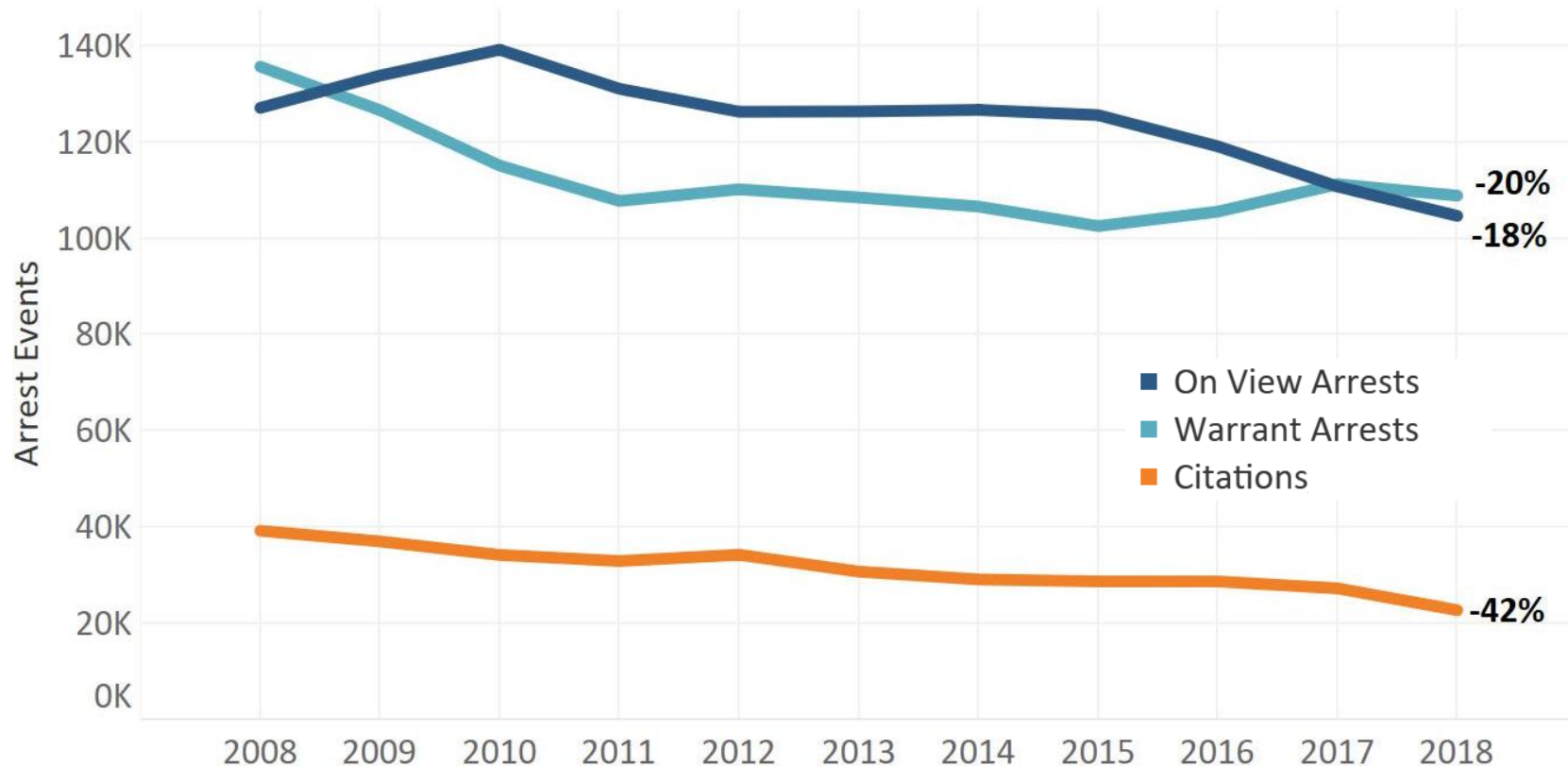


Change in number of arrest events by most common charges, 2008-2018. OUI category includes Driving with BAC > 0.08 and "Super Drunk Driving" (BAC > 0.17), the latter of which was added as an offense between 2008 and 2018. Source: Statewide arrest data, 2008 to 2018, Michigan State Police.

Citations made up 10 percent of all arrest events in 2018.



Citations declined more quickly than on view or warrant arrests.



The top most cited common offenses were cited less than half the time.

Top Common Offenses Leading to Citation, 2018	Percent Cited
Miscellaneous Arrest	50%
Transport Open Container	37%
Disorderly Conduct	25%
Narcotic Equipment	24%
Marijuana - Possess	23%
Retail Fraud Theft 3rd Degree	22%

Top common offenses leading to citation, 2018. Offenses listed include the most frequently cited offenses among the twenty most common arrest event offenses in 2018. Source: Statewide arrest data, 2008 to 2018, Michigan State Police.

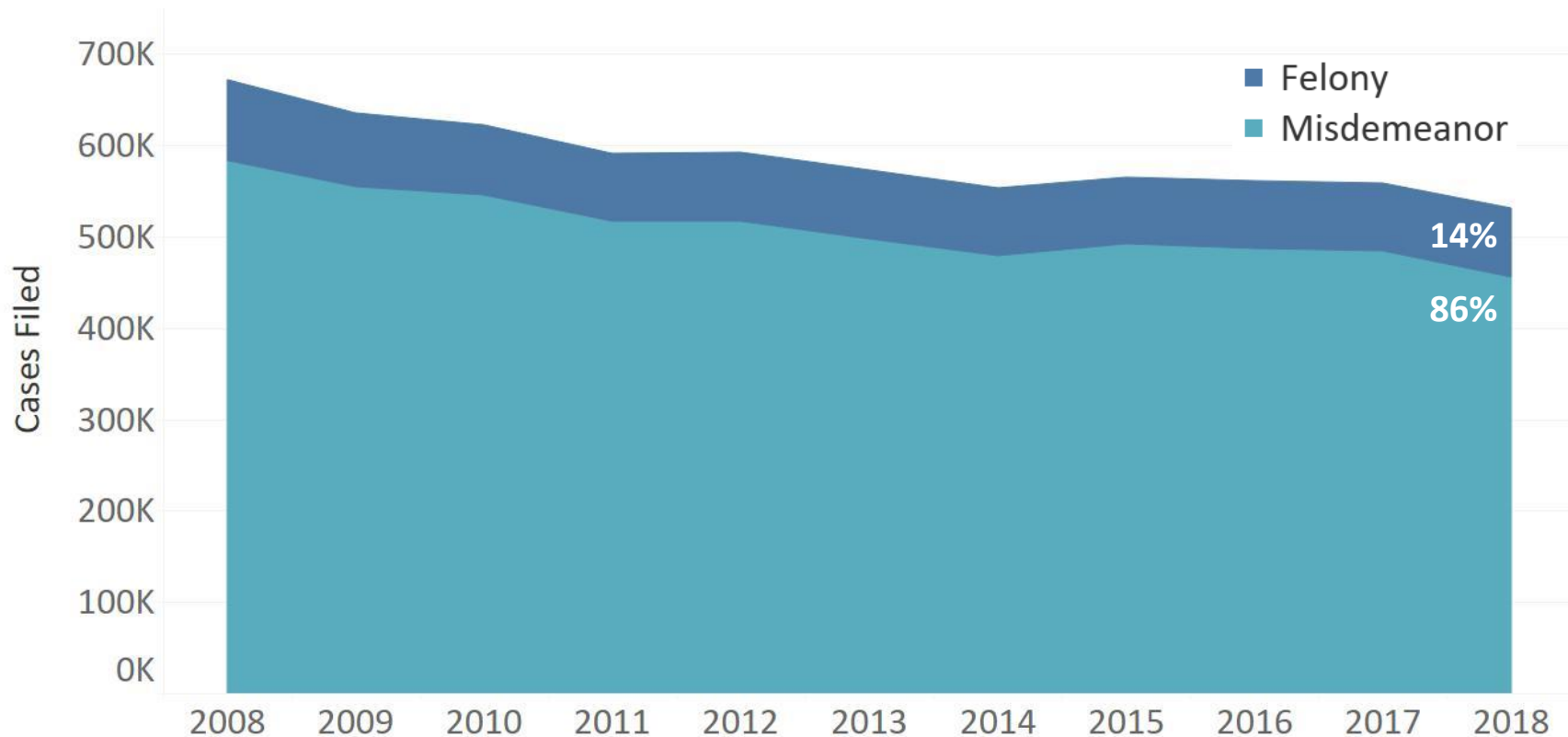
Findings from Court Data

Michigan Court Data

- Court data is provided by the State Court Administrative Office (SCAO).
 - Data spans the period from 2008 to 2018.
 - Demographic information is from the Judicial Data Warehouse.
- The statewide data is compiled from the 162 district and circuit courts in Michigan.*
 - All cases start with an arraignment in district court, which handles misdemeanor cases to completion.
 - Felony cases are bound over to circuit court.

*Four municipalities in Michigan have retained a municipal court rather than creating a district court.

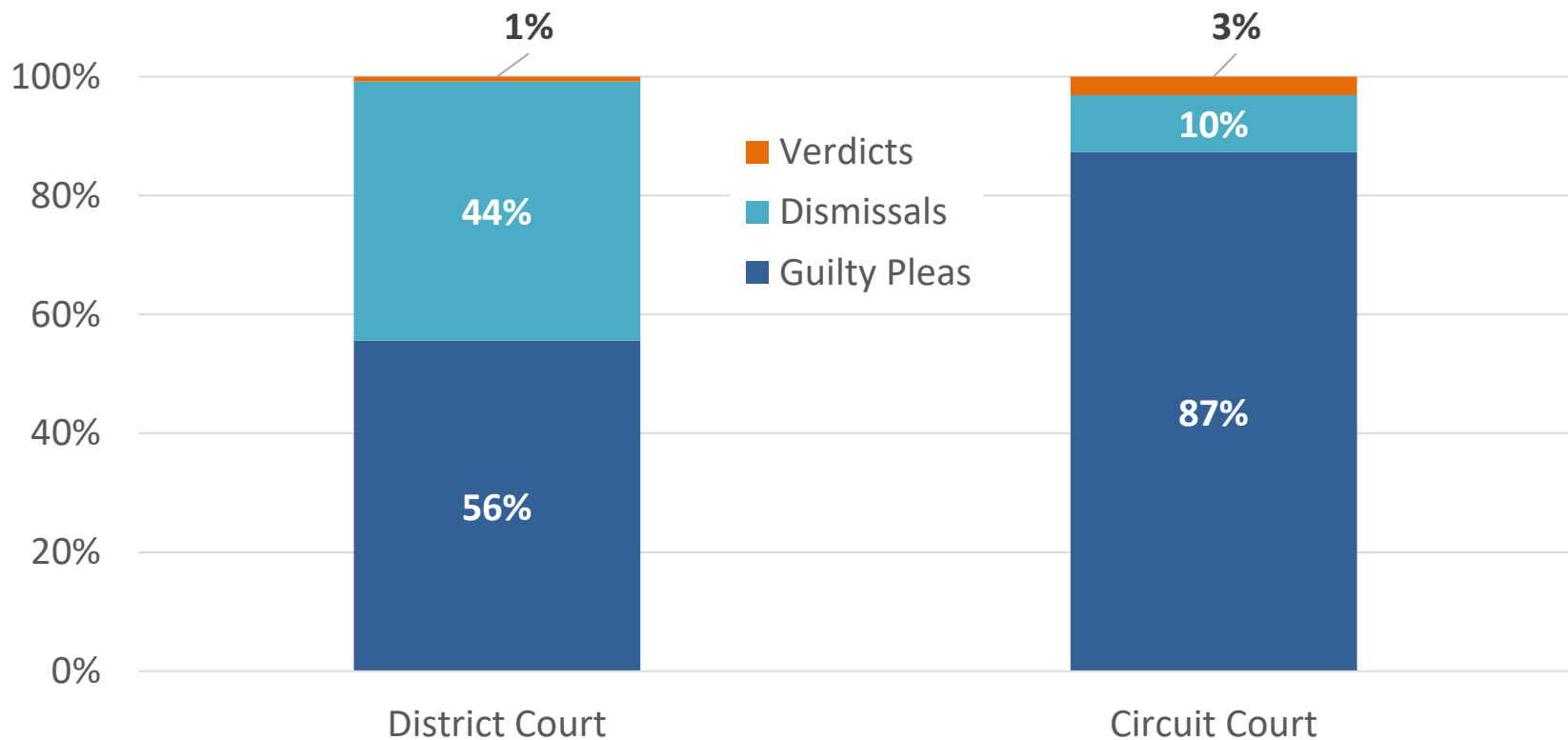
Nearly 9 in 10 cases filed in district court in 2018 were misdemeanors.



Change in number of felony and misdemeanor cases filed in district court, 2008-2018.

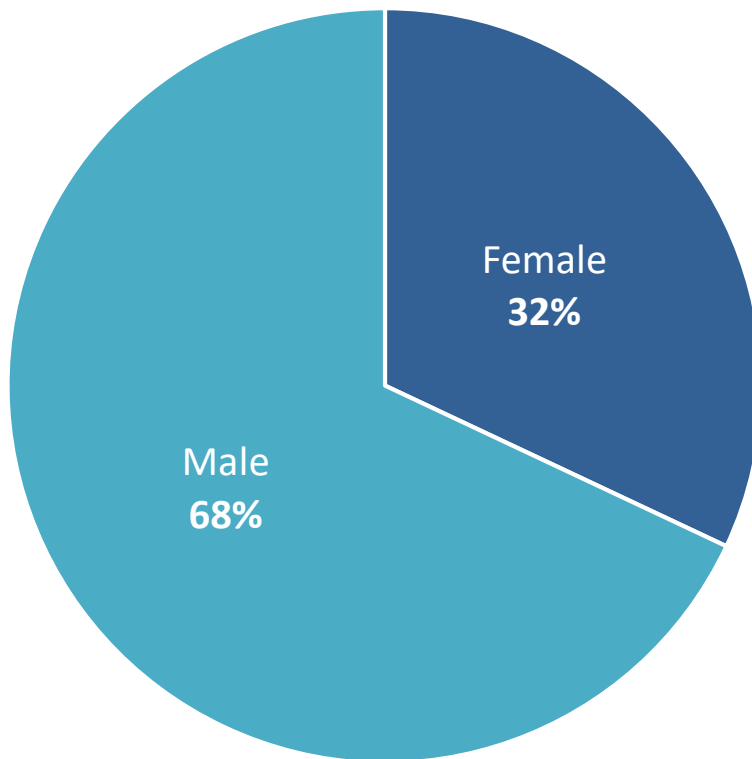
Source: Statewide court data, Michigan State Court Administrative Office.

The majority of cases were resolved via guilty plea, especially in circuit court.



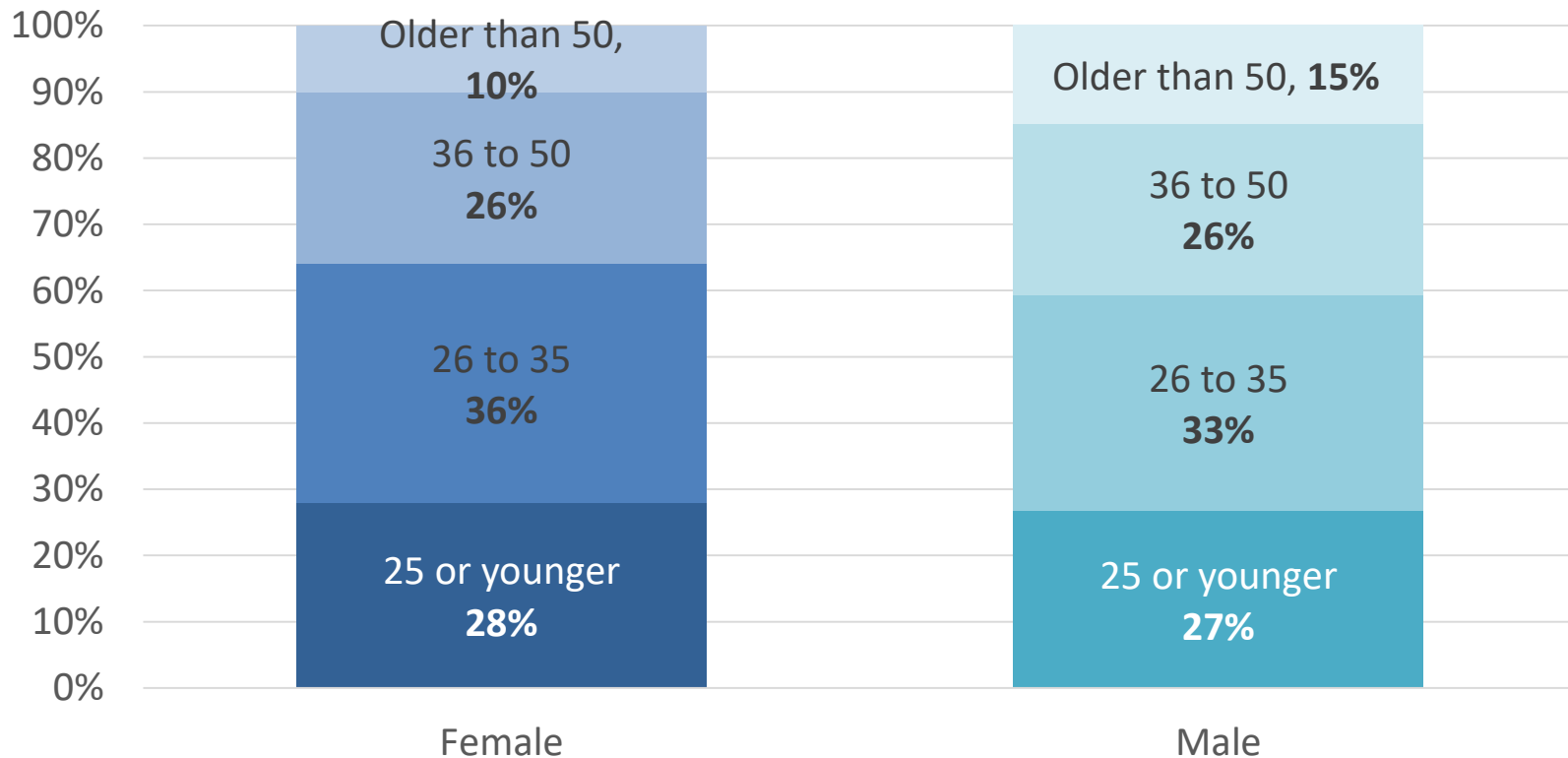
Dispositions by type in district and circuit court, 2018. Note: Totals exclude cases that were bound over, were on inactive status, were remanded/transferred, or changed case type. Source: Statewide court data, 2008 to 2018, Michigan State Court Administrative Office.

One third of defendants in criminal cases in 2018 were female.



Criminal cases filed in district court by gender, 2018. Note: Gender was unknown in three percent of cases; these cases are excluded. Source: Statewide court data, Judicial Data Warehouse, Michigan State Court Administrative Office.

The median age of defendants was just over 30 and similar across genders.

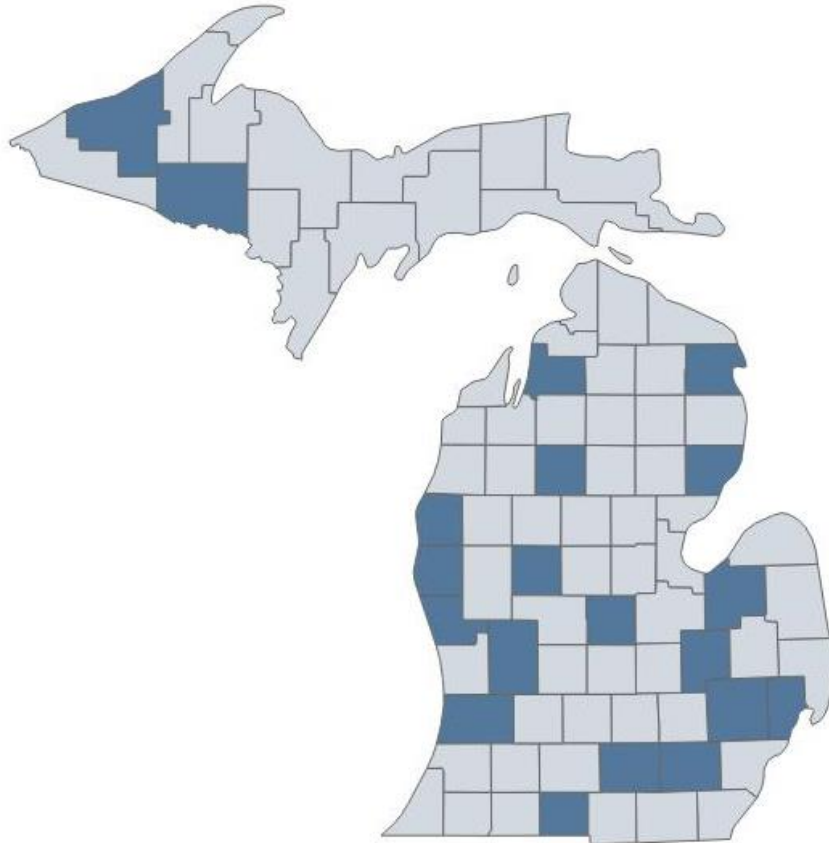


Findings from Jail Data

Context on Michigan Jail Data

- Jail data is provided by 20 sheriffs across Michigan.
 - Data spans the period from 2016 to 2018.
- The sample of data is compiled from admission and length of stay information from 20 county jails.
- Included counties vary in terms of size, geography, and demographics of residents.
 - Total sample represents approximately 40 percent of Michigan's total jail population.

Jail data includes 20 counties from across the state.



Rural

Allegan

Alpena

Antrim

Branch

Gratiot

Mason

Mecosta

Missaukee

Iosco

Iron

Oceana

Ontonagon

Tuscola

Small/mid

Genesee

Muskegon

Washtenaw

Jackson

Suburban

Macomb

Oakland

Urban

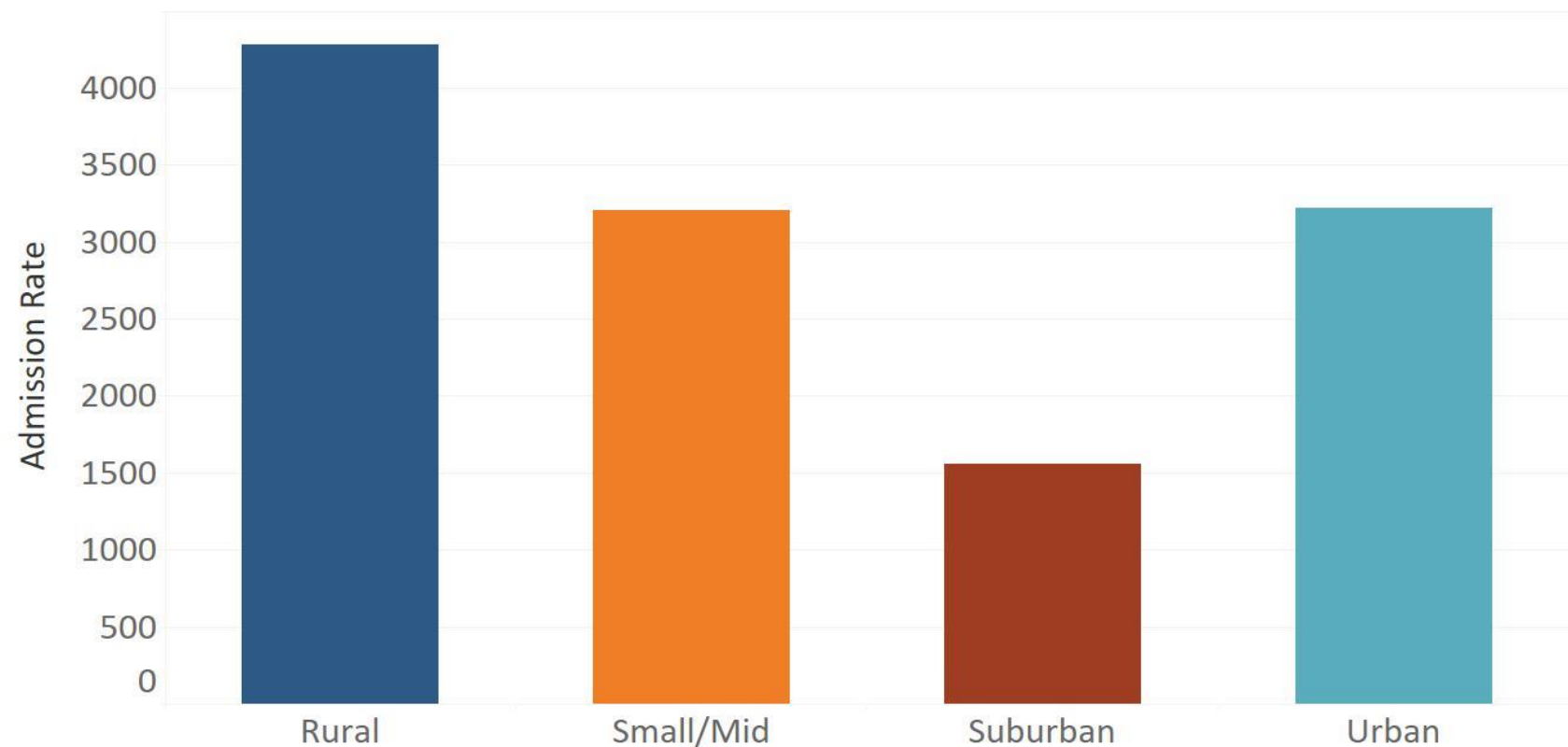
Kent

The jail sample includes more than 300,000 admissions over three years.

Year	Number of Admissions in Sample
2016	111,915
2017	109,185
2018	106,946
Grand Total	328,046

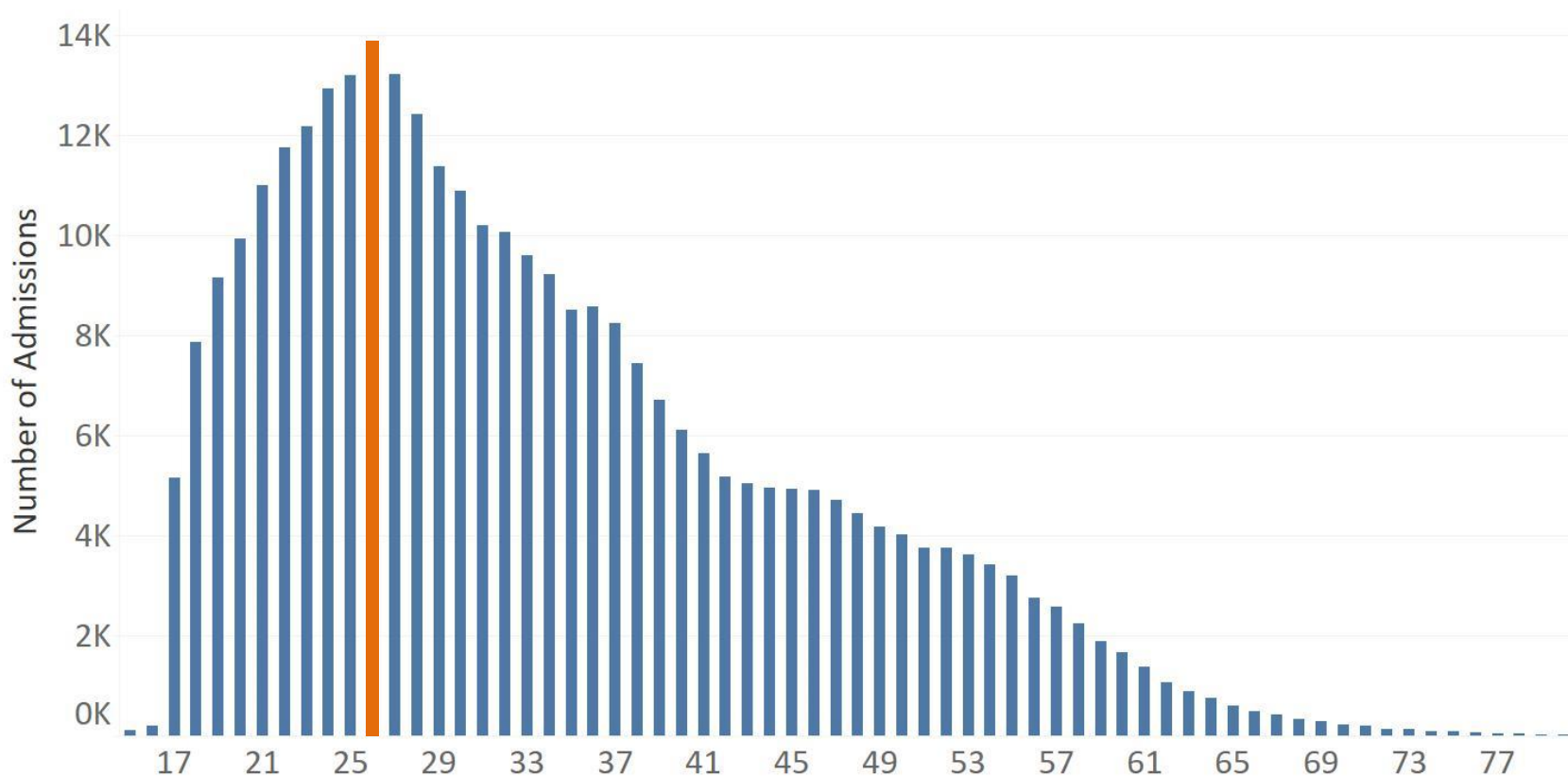
Urbanicity	Percent of Admissions in Sample
Rural	18%
Small/Mid	33%
Suburban	30%
Urban	19%

Jail admission rates were highest in rural and lowest in suburban counties.

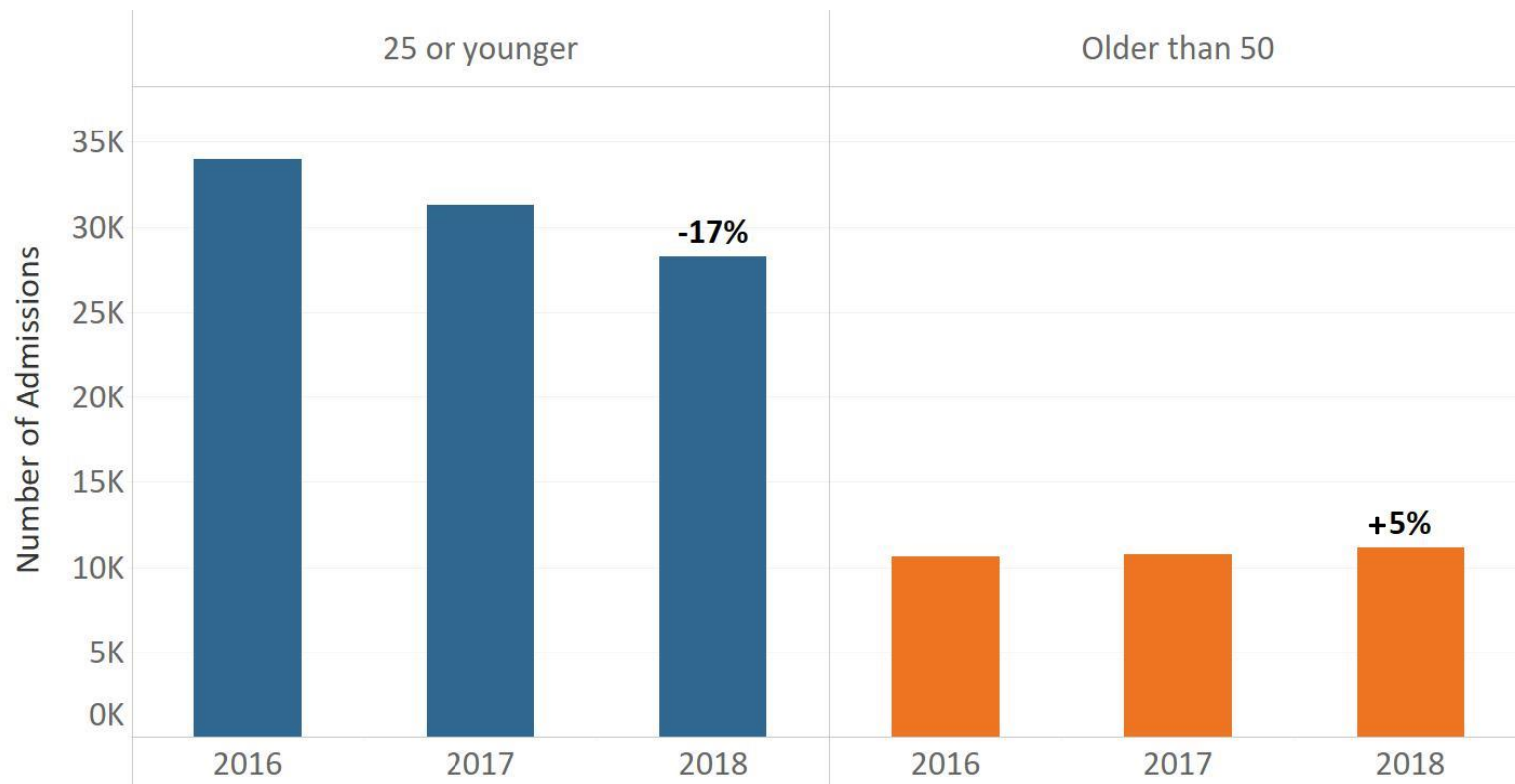


Admission rate (per 100,000 people) by urbanicity, 2016-2018. Source: Sample of jail data, 2016 to 2018, various Michigan jails.

The most common age at jail admission was 26, but it varied widely.

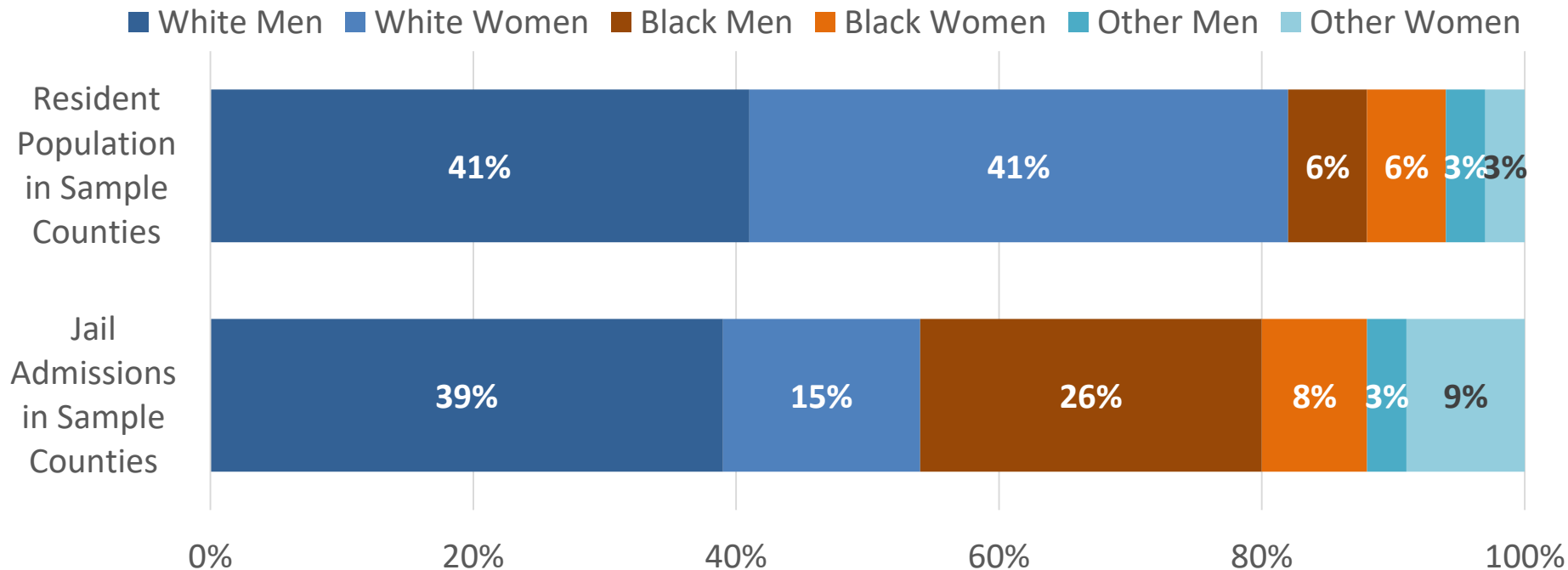


Like arrests, jail admissions of young people declined while admissions of older people increased slightly.



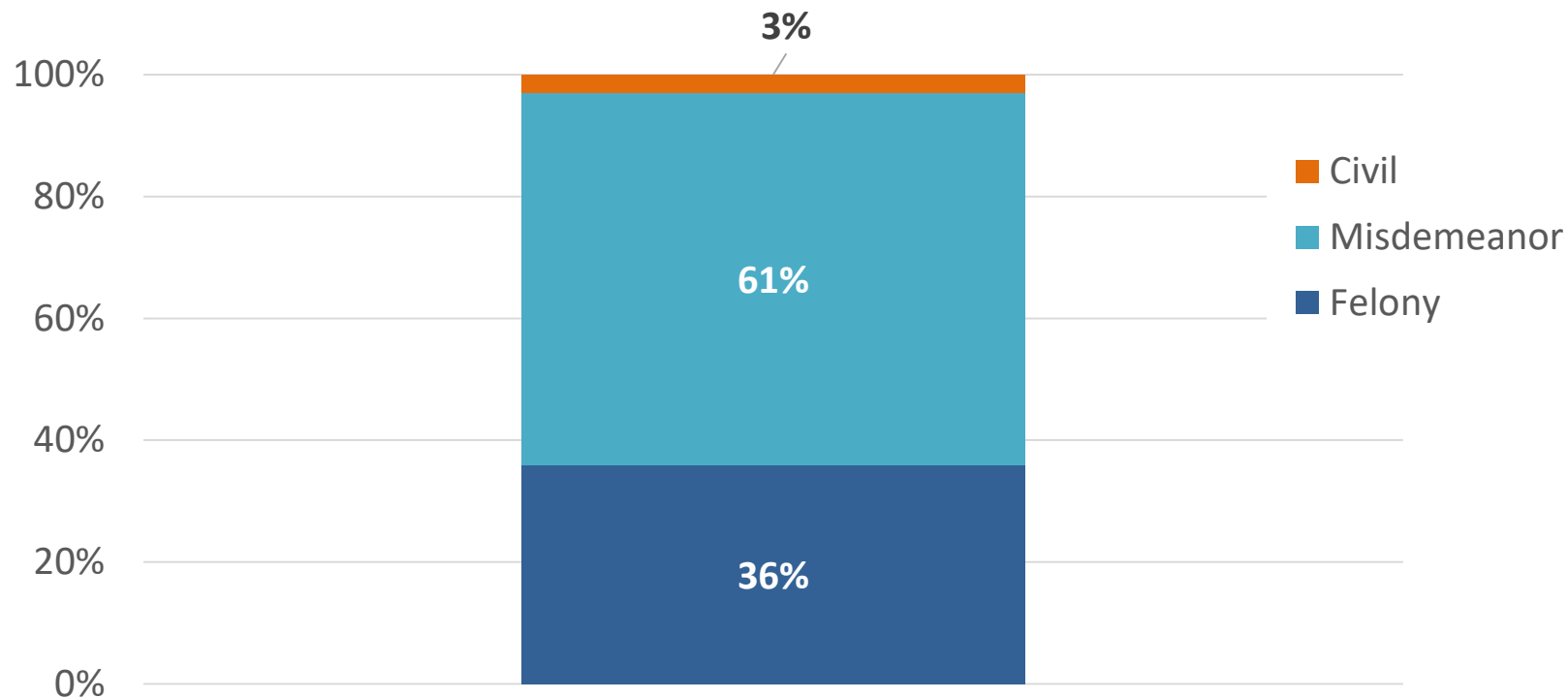
Change in jail admissions by age group, 2016-2018. Source: Sample of jail data, 2016 to 2018, various Michigan jails.

Black men were most overrepresented in jail admissions while White women were most underrepresented.



Jail admissions and resident populations in sample counties by race and gender, 2016-2018. "Other" categories include those for whom race was not reported or accounted for less than one percent of the total. Note: In county population data, gender was unavailable and was assumed to be evenly male and female. Source: Sample of jail data, 2016 to 2018, various Michigan jails.

Nearly two thirds of jail admissions were for misdemeanor charges.

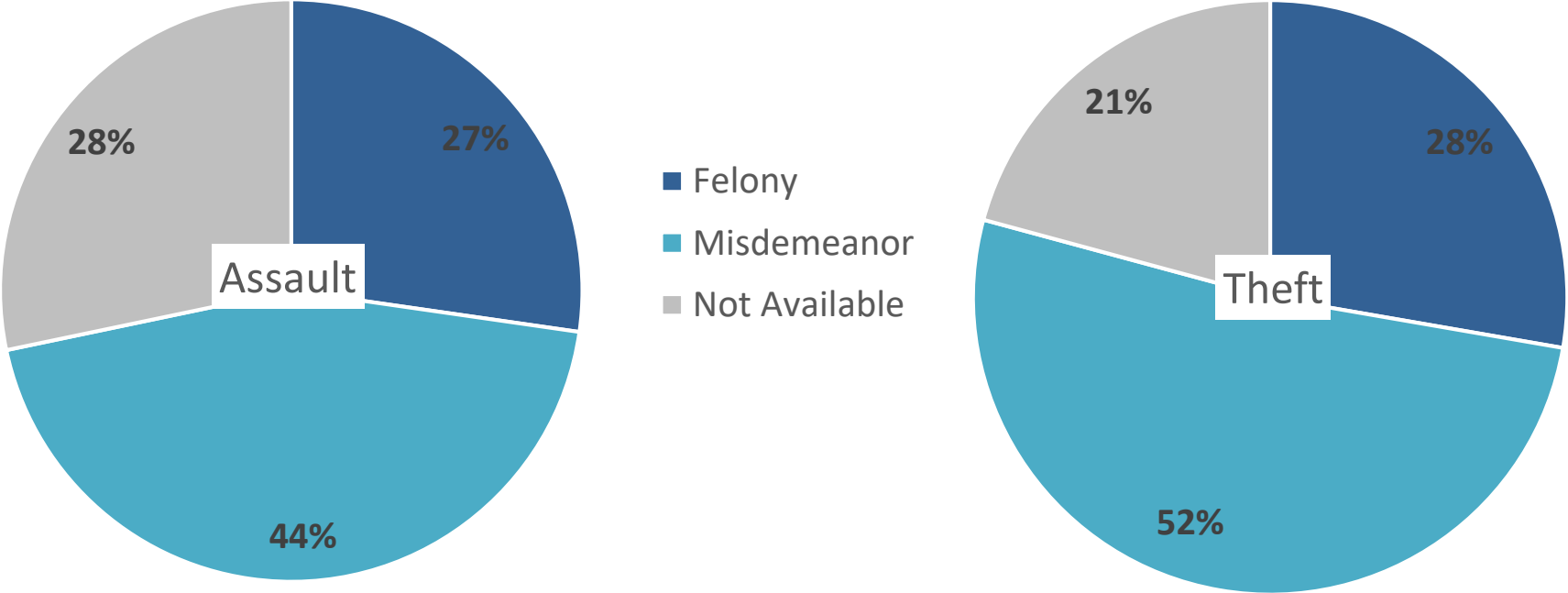


Many jail admissions were for nonviolent offenses.

Top 10 Offenses, Most Serious Charge at Jail Admission	Percent of Admissions
Operating Under the Influence (OUI)	14%
Assault	11%
Driving Without Valid License	9%
Probation/Parole Violation	8%
Theft	8%
Possession or Use of Controlled Substance	8%
Obstruction of Justice	7%
Other Person Offense	6%
Domestic Violence	5%
Delivery or Manufacture of Controlled Substance	4%

Percent of jail admissions by offense type, most serious charge per booking, 2016-2018. Most serious charge was determined by ranking multiple charges by crime type and offense category. Note: Offense information was available for all charges in 87% of admissions. Source: Sample of jail data, 2016 to 2018, various Michigan jails.

About half of assault and theft charges at jail admission were misdemeanors.



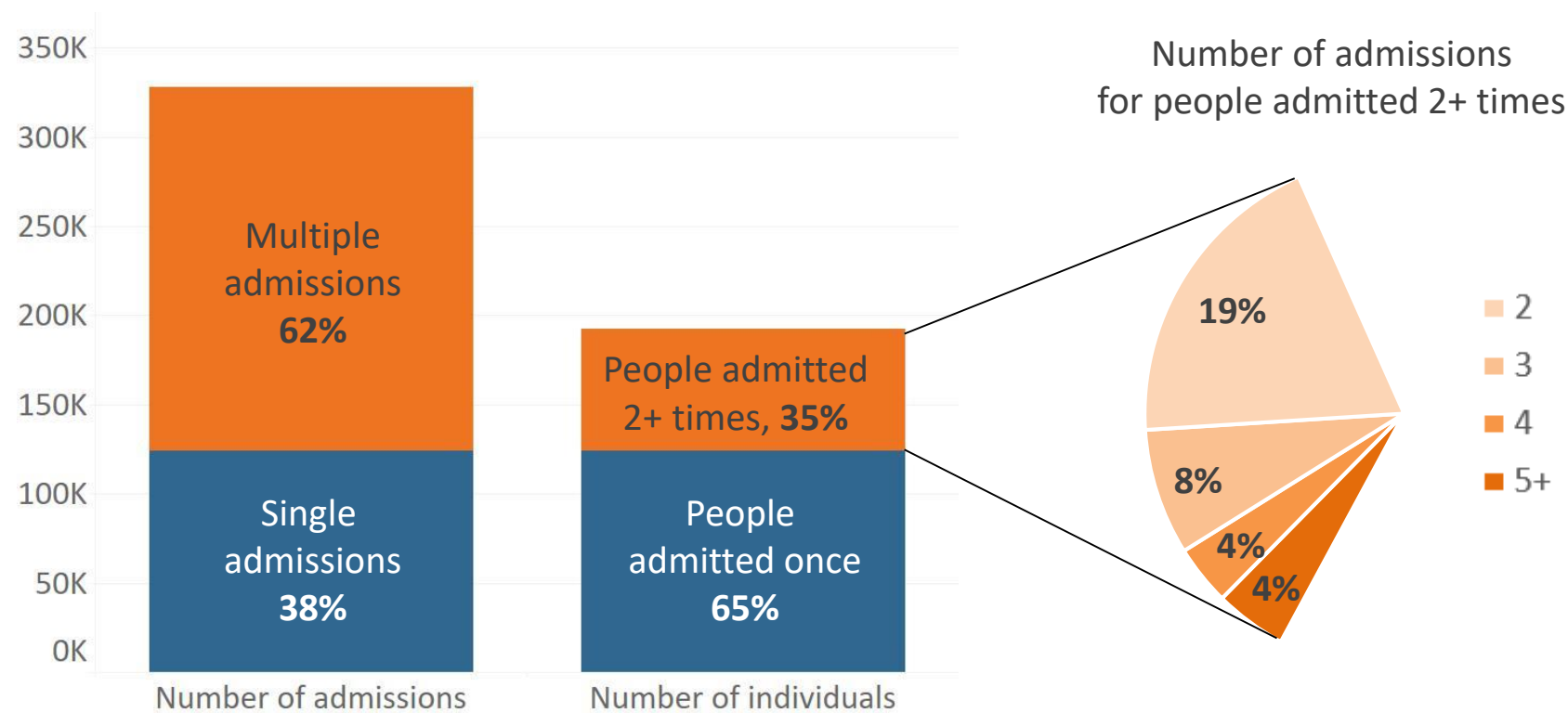
Assault and theft offenses (most serious offense per admission only) by crime class, 2016-2018. Source: Sample of jail data, 2016 to 2018, various Michigan jails.

The most serious offense at jail admission varied by race and gender.

Most Serious Charge at Jail Admission	Total	White Men	Black Men	White Women	Black Women
Operating Under the Influence	14%	18%	9%	18%	9%
Assault	11%	10%	11%	9%	13%
Driving Without Valid License	9%	6%	12%	6%	15%
Theft	8%	6%	7%	13%	17%
Possession or Use of Controlled Substance	8%	9%	8%	10%	5%

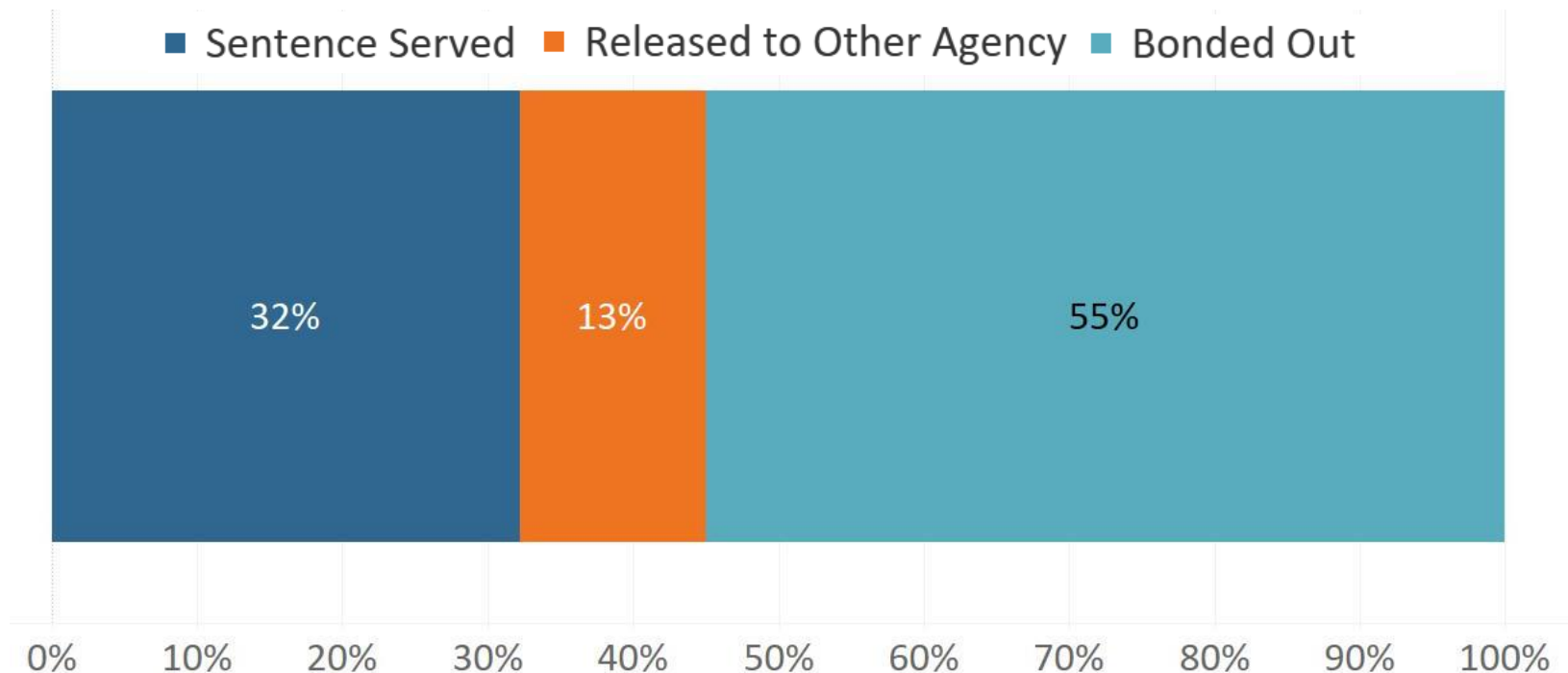
Percent of jail admissions by charge for race and gender groups, 2016-2018. Note: Offense information was available for all charges in 87% of admissions.
Source: Sample of jail data, 2015 to 2018, various Michigan jails.

One third of individuals in jail sample had 2+ admissions over three years.



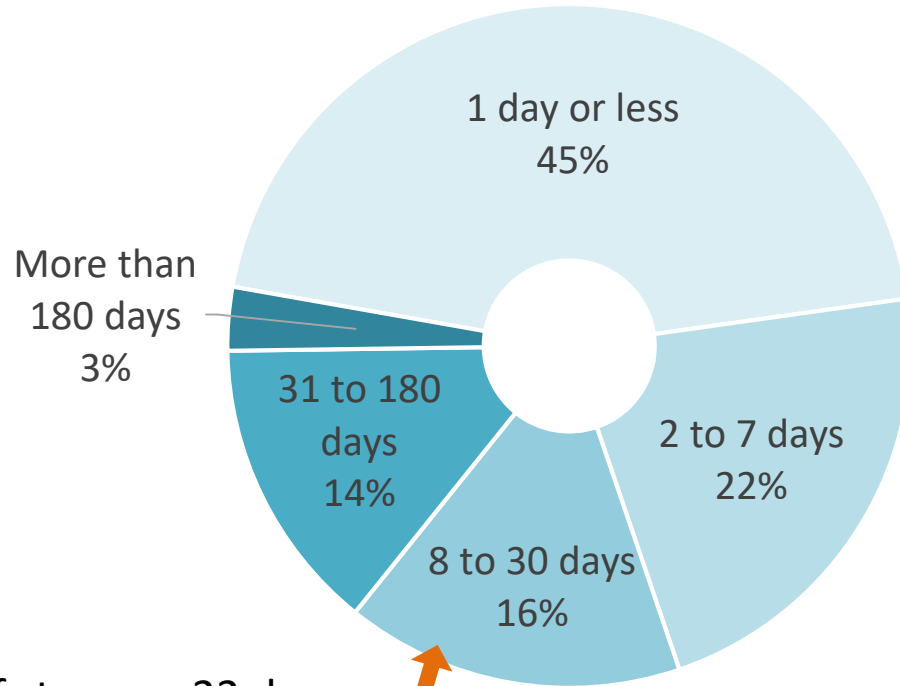
Individuals by number of jail admissions, 2016 -2018. Source: Sample of jail data, 2016 to 2018, various Michigan jails.

More than half of people released from jail bonded out.



Release reasons for jail admissions, 2016-2018. Note: Release information per booking was available in 78% of admissions. Source: Sample of jail data, 2016 to 2018, various Michigan jails.

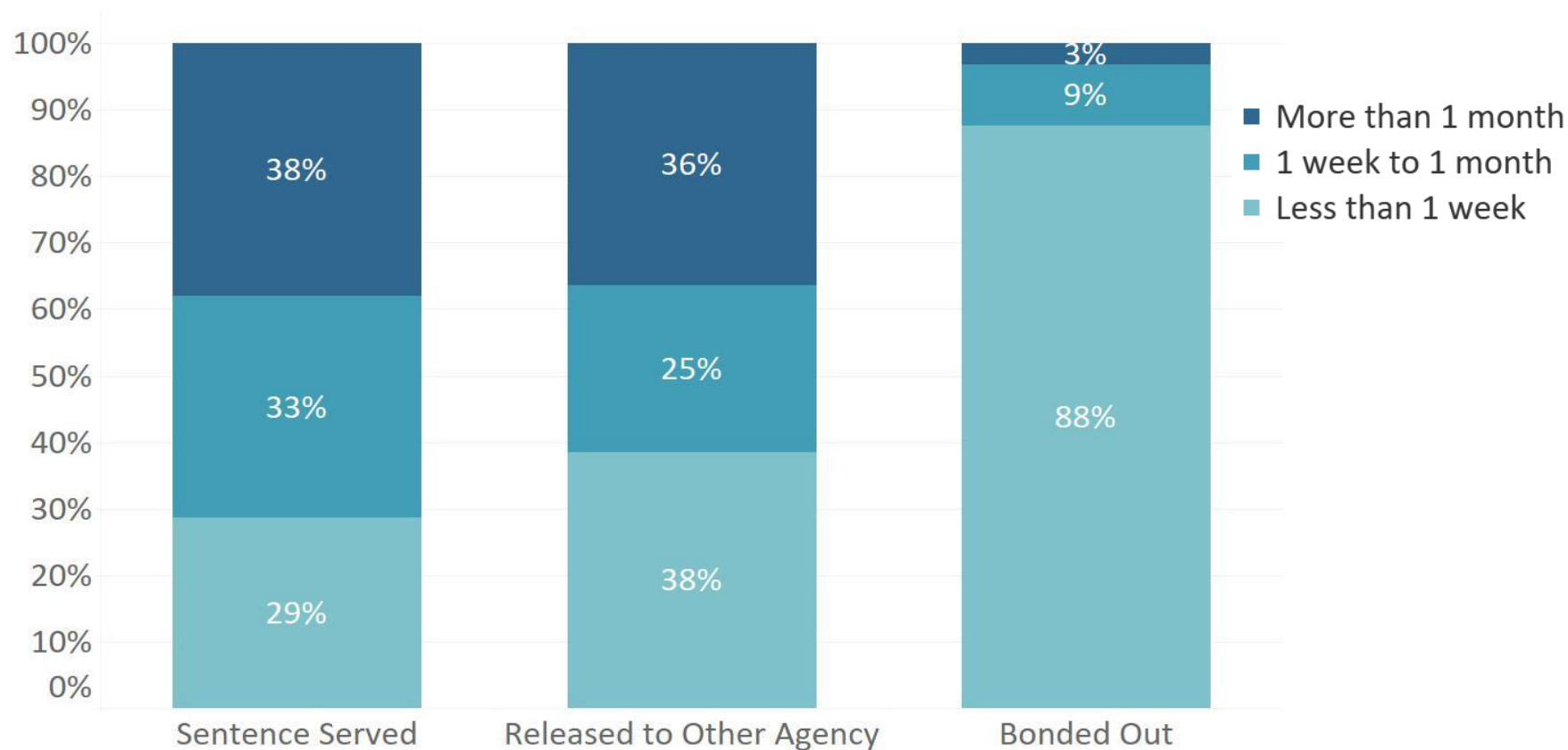
Two thirds of people admitted to jail were released within one week; nearly one fifth stayed longer than one month.



Average length of stay was 22 days

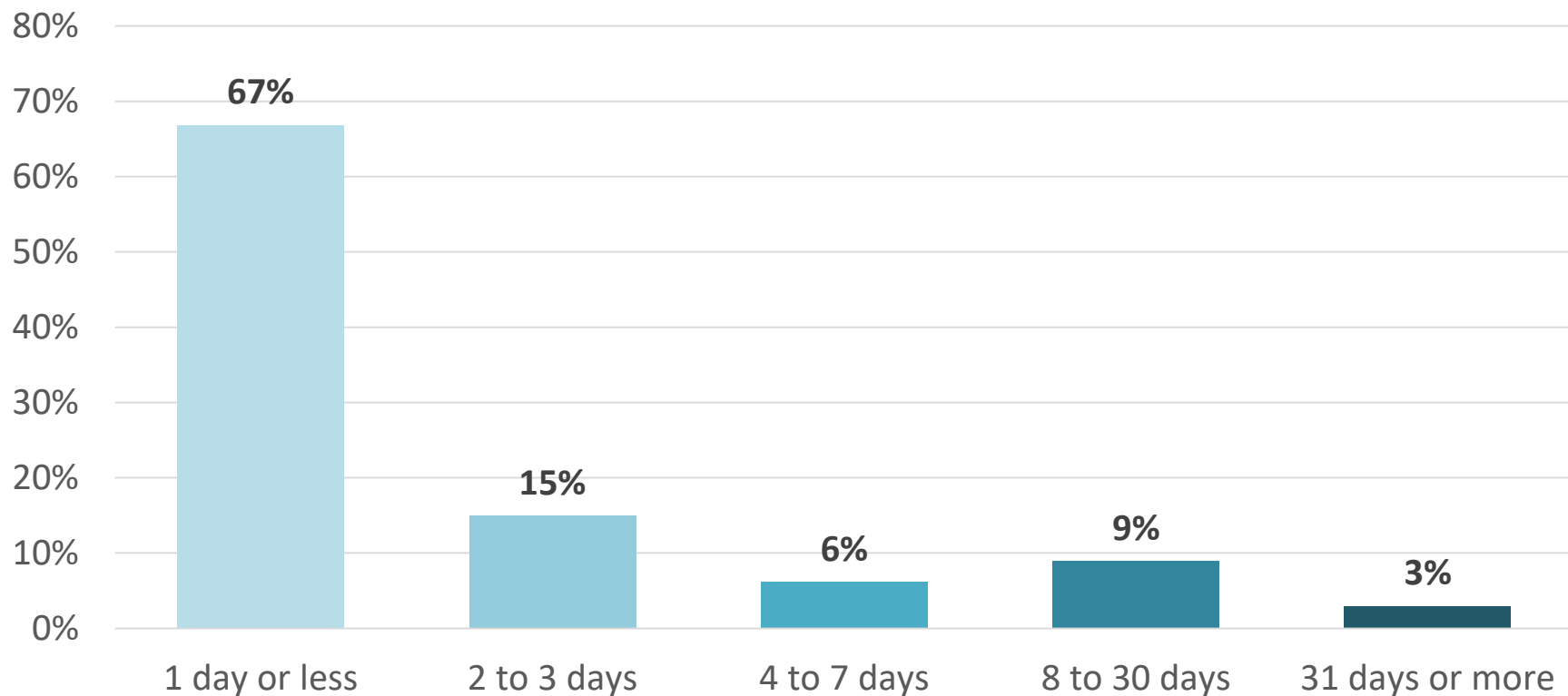


Length of stay in jail was significantly shorter for people who bonded out.



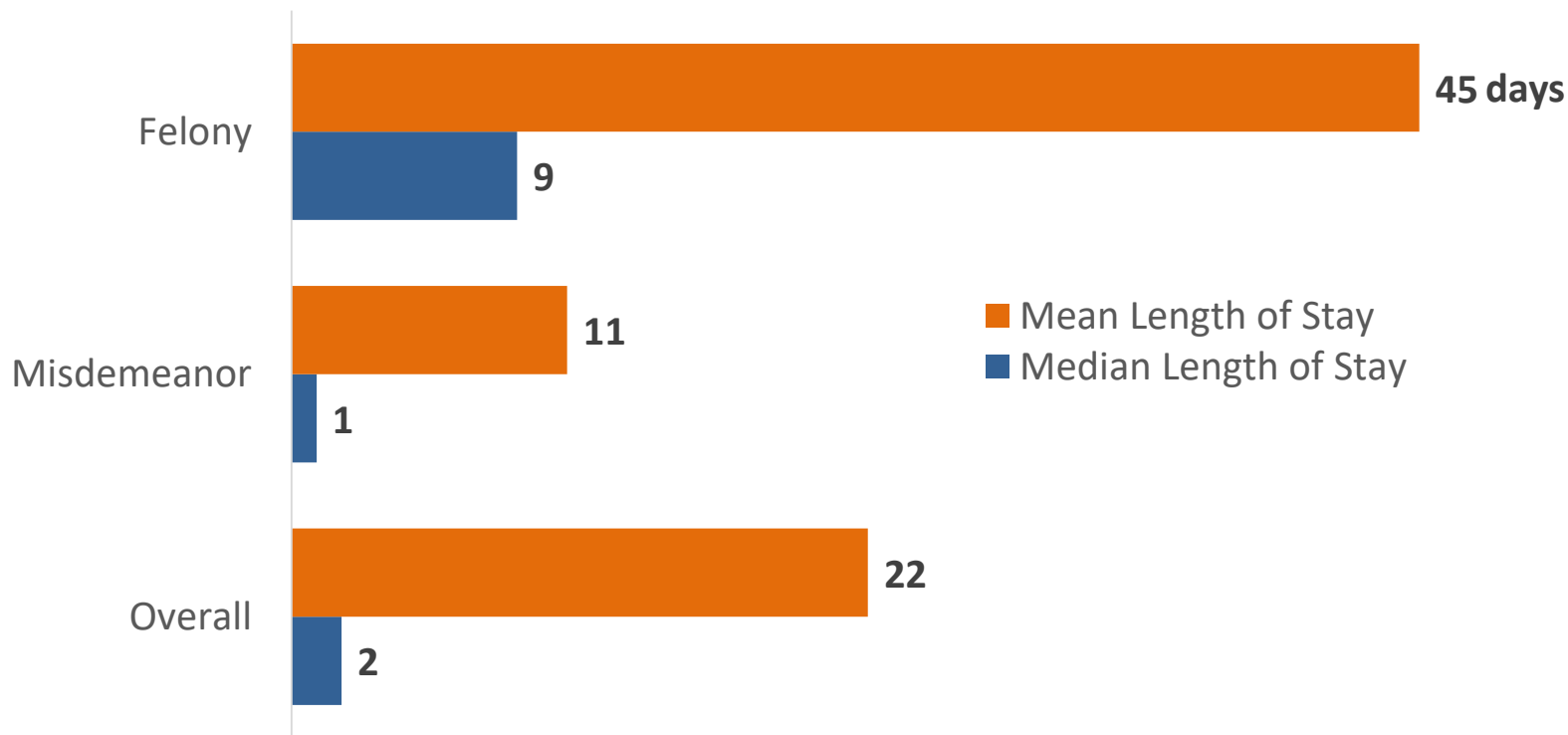
Length of stay distribution for jail admissions by release type, 2016-2018. Note: Release information per booking was available in 78% of admissions. Source: Sample of jail data, 2016 to 2018, various Michigan jails.

For people who bonded out of jail, one third spent at least two days in jail.



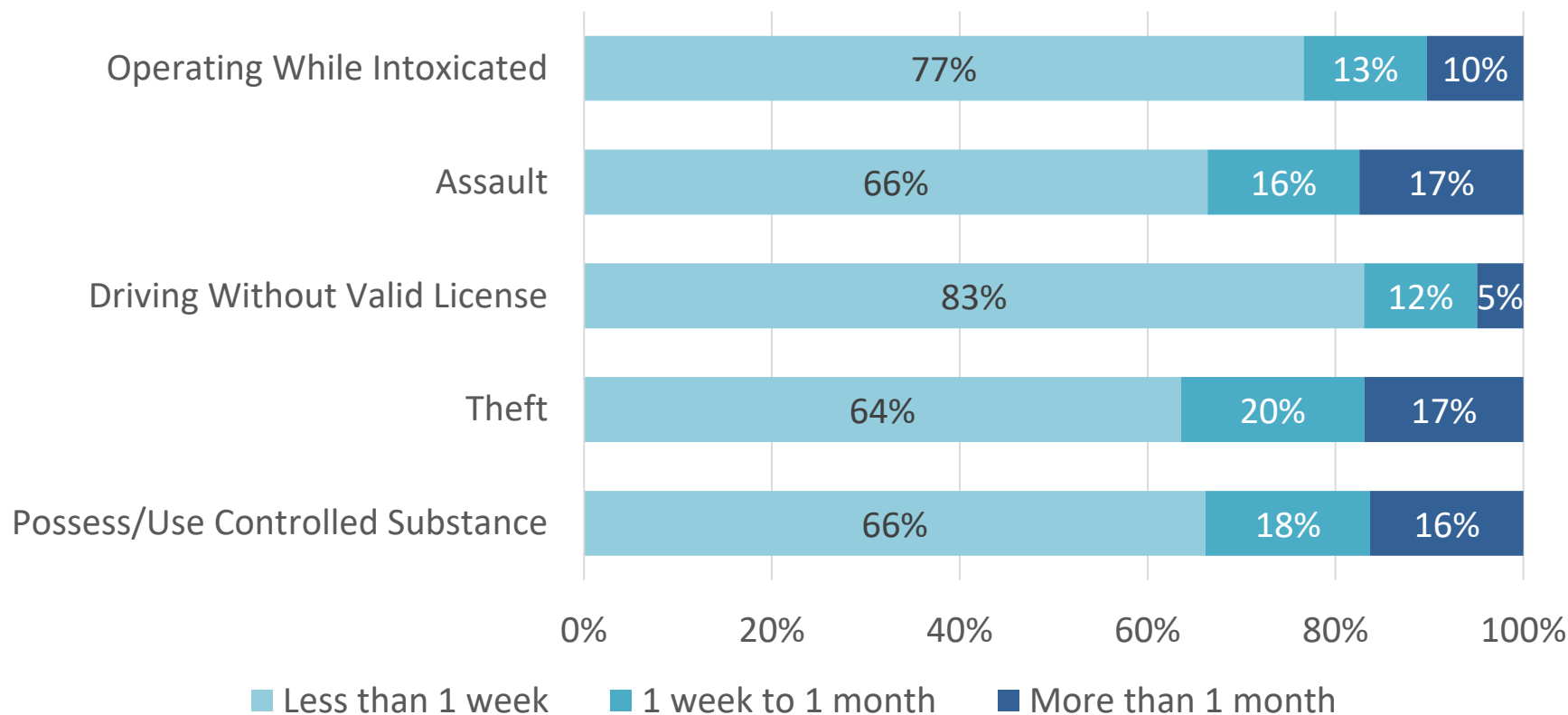
Length of stay distribution for jail admissions bonding out, 2016-2018. Source: Sample of jail data, 2016 to 2018, various Michigan jails.

Length of stay for jail admissions varied by crime class.

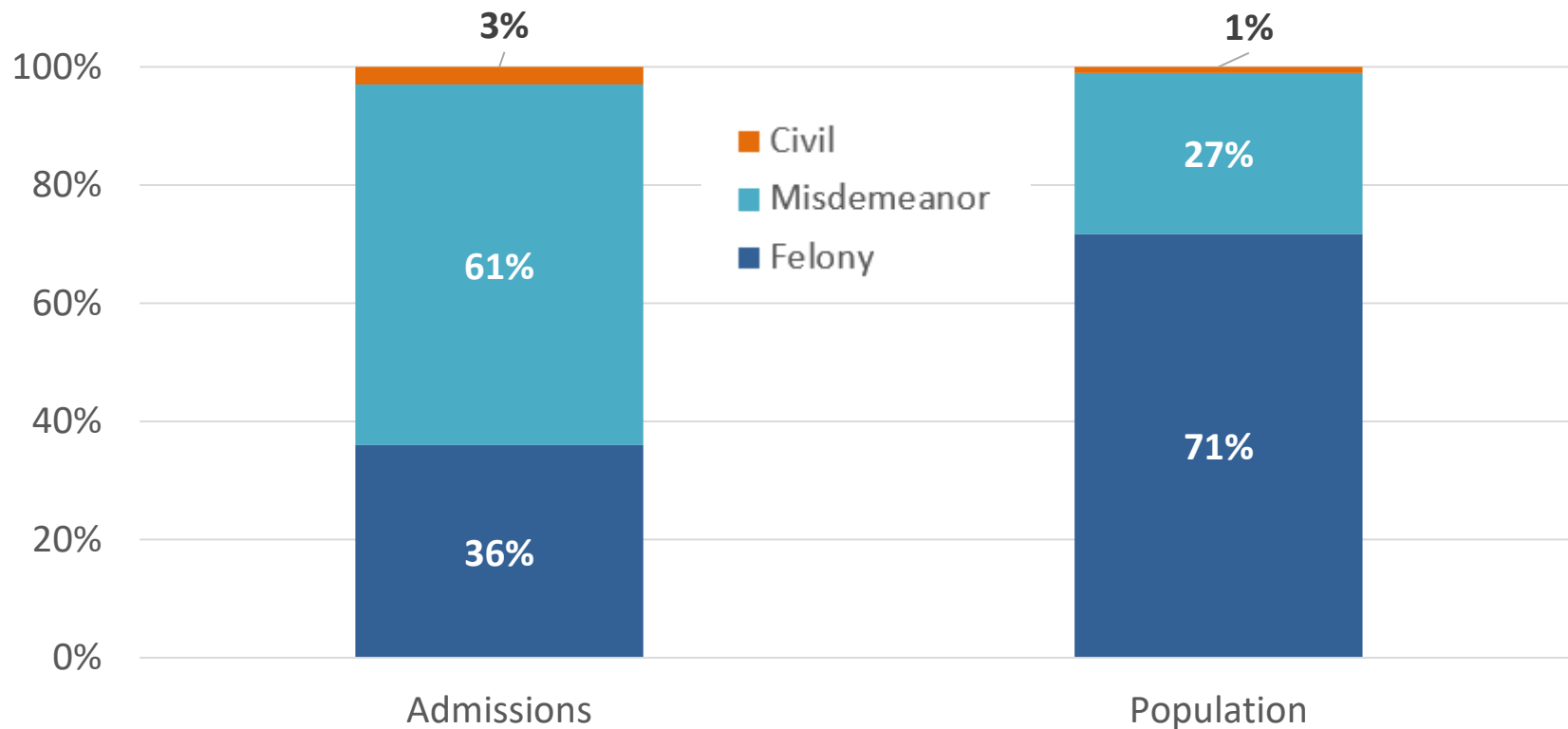


Mean and median length of stay in days for jail admissions by crime class, 2016-2018. Note: Crime type was available for 75% of admissions. Source: Sample of jail data, 2016 to 2018, various Michigan jails.

For top five offenses, 5 to 17 percent of people stayed longer than one month.



Unlike jail admissions, most of the jail population faced felony charges.

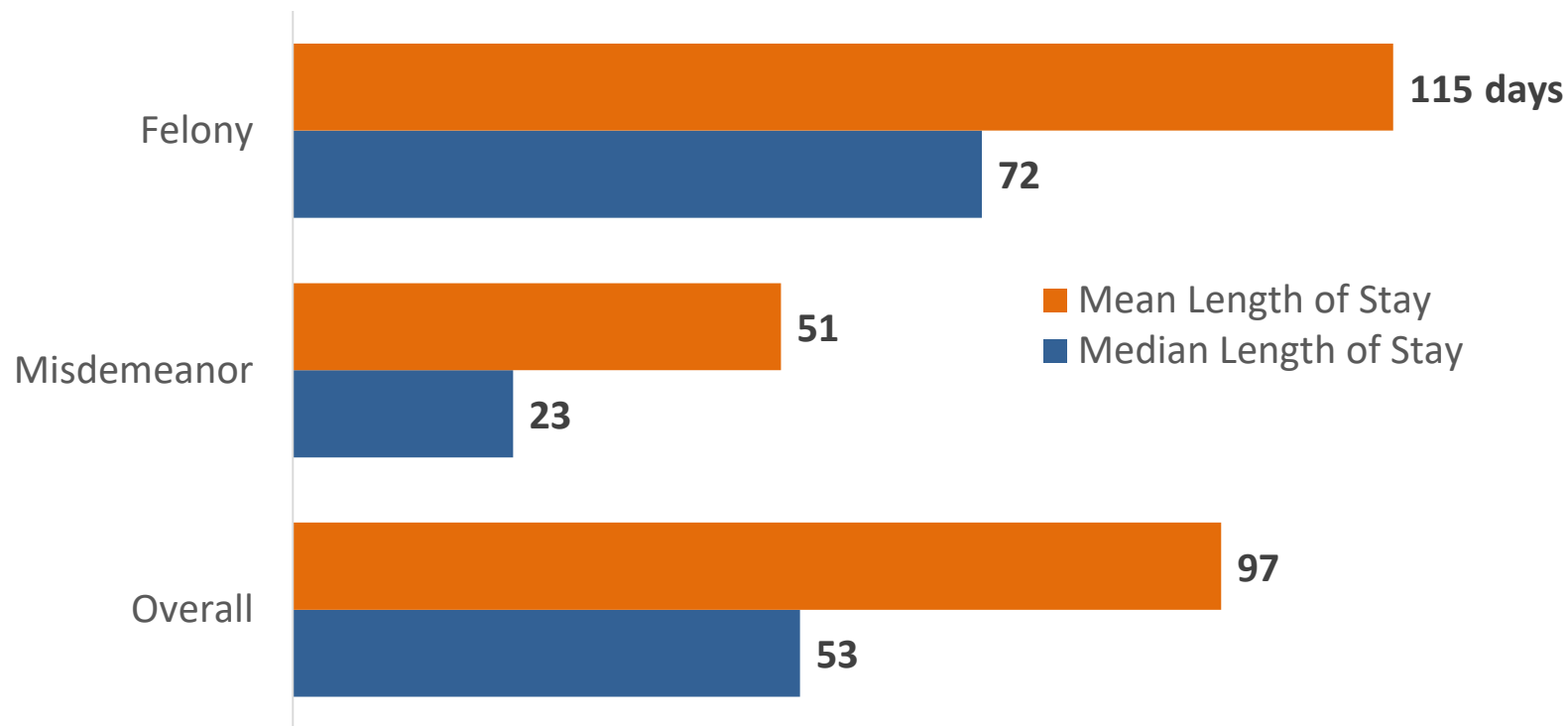


Crime class distribution for jail admissions, 2016-2018; Crime class distribution for jail population on 12/1/2018. Note: Crime type was available for 75% of admissions. Source: Sample of jail data, 2016 to 2018, various Michigan jails.

The most common charges in the jail population were slightly more serious than the most common charges at admission.

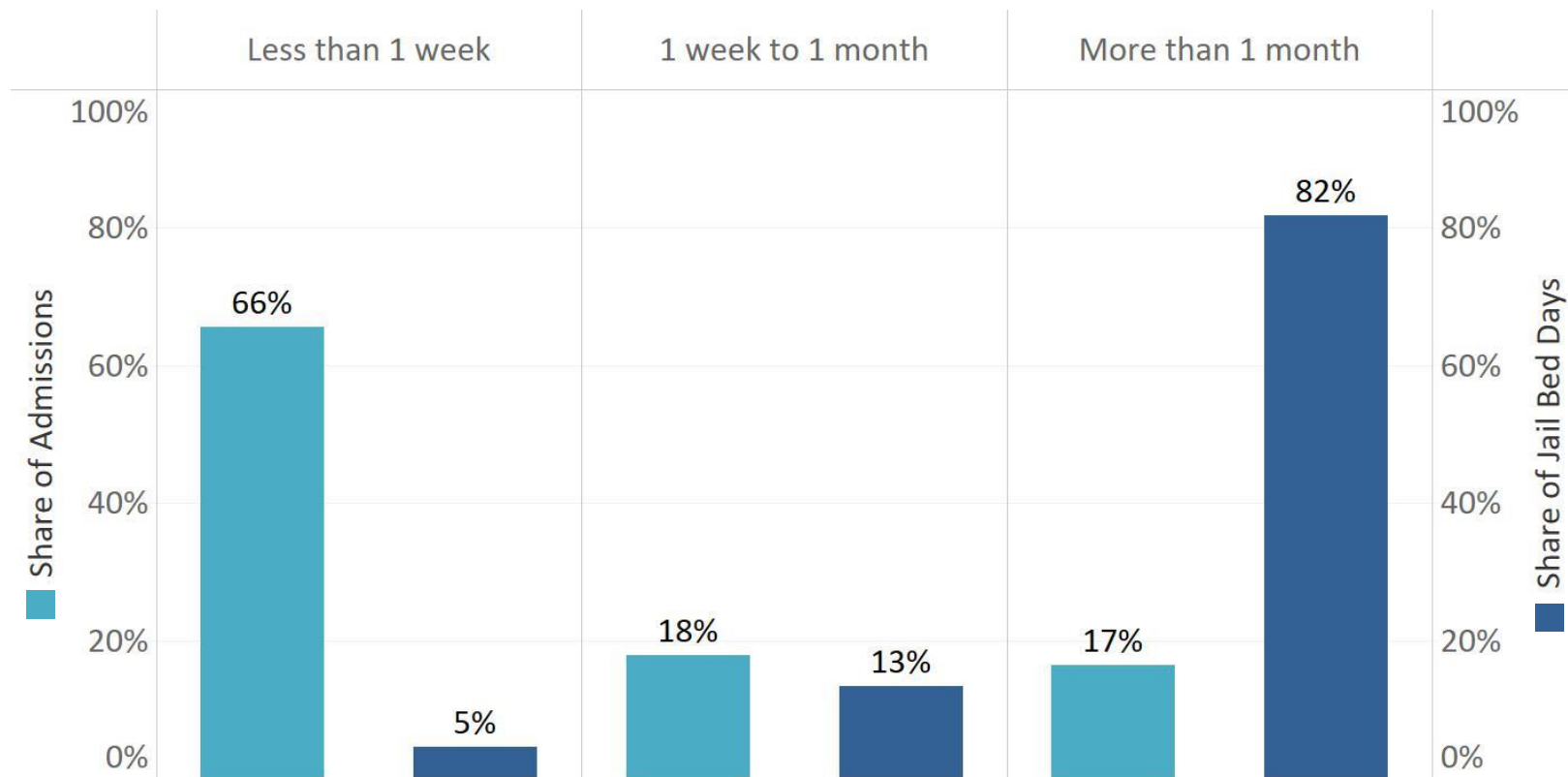
Top 10 Offenses, Most Serious Charge for Individuals in Jail	Percent of Population
Other Person Offense	14%
Assault	13%
Probation/Parole Violation	10%
Operating Under the Influence	8%
Theft	8%
Possession or Use of Controlled Substance	8%
Delivery or Manufacture of Controlled Substance	6%
Obstruction of Justice	6%
Domestic Violence	5%
Other Property Offense	4%

Length of stay for jail population varied by crime class.



Mean and median length of stay in days by crime class, jail population on 12/1/2018. Note: Crime type was available for 75% of admissions. Source: Sample of jail data, 2016 to 2018, various Michigan jails.

Less than one fifth of admissions contributed over 80 percent of jail bed days.



Distributions of jail admissions and jail bed utilization by length of stay, 2016-2018. Source: Sample of jail data, 2016 to 2018, various Michigan jails.

Takeaways

Takeaways

- Despite falling arrests, particularly among young people, tens of thousands of people are still arrested for low-level charges like failure to appear in court, marijuana possession, and shoplifting.
- People are also going to jail in large numbers for administrative rule-breaking like driving without a valid license and violating probation conditions.
- Officers issue fewer citations in lieu of arrest than they have in past years. Overall, arrests far outnumber citations, even for low-level crimes.
- Short jail stays disrupt hundreds of thousands of lives, but Michigan's high jail populations are driven by relatively few people.

Acknowledgments

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Antrim County, Sheriff Daniel Bean,
Sgt. Todd Rawling
Branch County, Sheriff John Pollack,
Capt. Fred Blankenship
Genesee County, Sheriff Robert Pickell,
Capt. Jason Gould
Gratiot County, Sheriff Michael Morris
Iosco County, Sheriff Allan MacGregor
Iron County, Sheriff Mark Valesano,
Tom Courchaine
Jackson County, Sheriff Steven Rand,
Capt. Bob Vogt

Kent County, Sheriff Michelle LaJoye-Young,
Lt. Aaron Case
Macomb County, Sheriff Anthony Wickersham,
Joe McBratnie
Mason County, Sheriff Kim Cole
Mecosta County, Sheriff Todd Purcell,
Capt. Kevin Wood
Missaukee County, Sheriff Wilbur Yancer
Muskegon County, Sheriff Michael Poulin,
Ryan Foster
Oakland County, Sheriff Michael Bouchard,
Exec. Lt. Melissa McClellan, Jason Tucker
Oceana County, Sheriff Craig Mast
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Tuscola County, Sheriff Glen Skrent
Washtenaw County, Sheriff Jerry Clayton,
Sgt. Nicholas Burleson

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